



Order Paper for a meeting

HEARING OF SUBMISSIONS:

(Draft) QLDC Freedom Camping Bylaw 2025

to be held on

Tuesday 26 August 2025

commencing at 9.00am

in the

Council Chambers, 10 Gorge Road,

Queenstown

9.12 Items of business not on the agenda which cannot be delayed | Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with the item and the Chairperson provides the following information during the public part of the meeting:

(a) the reason the item is not on the agenda; and

(b) (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

***Please note** that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.*

9.13 Discussion of minor matters not on the agenda | Te kōreorero i ngā take iti kāore i runga i te rārangi take

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

REFERENCE:

Queenstown Lakes District Council Standing Orders adopted on 31 July 2025

QUEENSTOWN LAKES DISTRICT COUNCIL

HEARING OF SUBMISSIONS ON:

(DRAFT) QLDC FREEDOM CAMPING BYLAW 2025

PANEL MEMBERS

Councillor G Bartlett

Councillor L Guy

Councillor C Tucker

Chair of hearing panel to be determined at beginning of hearing.

**HEARING OF SUBMISSIONS:
(Draft) QLDC Freedom Camping Bylaw 2025**



Agenda for a hearing of submissions on the (draft) QLDC Freedom Camping Bylaw 2025 to be held in the Council Chambers, 10 Gorge Road, Queenstown (and online) on Tuesday 26 August 2025 beginning at 9.00am and continuing on Wednesday, 27 August 2025 beginning at 12.30pm.

Item	Page Number	Report Title
		Election of Chairperson
		Apologies
		Declarations of Conflict of Interest
		Confirmation of Agenda
1	5	Officer report: Hearing report
	57	Attachment A: Draft Freedom Camping Bylaw
	82	Attachment B: Statement of Proposal
	Circulated separately	Attachment C: Submissions
		a. Let's Talk submissions
		b. Let's Talk addenda (photographs etc)
		c. Emailed submissions
		d. Word submissions
		e. PDF submissions
	91	Attachment D: Officer Recommendations
	Circulated separately	Attachment E: Freedom Camping Bylaw Development - Expert Services Technical Assessment Report
	To follow	Attachment F: Speaking Schedule 26 August 2025 and 27 August 2025

Hearing Panel

26 August 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Strategy & Policy

Title | Taitara: Hearing report – Draft Freedom Camping Bylaw 2025

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to present submissions received on the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 (**the draft bylaw**). At its 26 June 2025 meeting, Queenstown Lakes District Council (**QLDC or the Council**) adopted the draft bylaw (**Attachment A**) and statement of proposal (**Attachment B**) for public consultation.

This report is intended to support a Hearings Panel (**the Panel**) of elected members that will receive all submissions and provide members of the public who have made a submission the opportunity to be heard by the hearings panel.

This report provides an analysis of submissions on the draft bylaw, and advice to the Panel on further recommended amendments to respond to feedback received. The submission pack, containing all feedback received, is included as **Attachment C**. A list of amendments recommended by officers in response to submissions is included as **Attachment D**.

Executive Summary | Whakarāpopototaka Matua

Council undertook public consultation on the draft bylaw in accordance with the special consultative procedure¹ between 8.00am 8 July 2025 to 5:00pm on 8 August 2025.

Council can make a Freedom Camping Bylaw under section 11 of the Freedom Camping Act 2011 (**the Act**) where it is determined to be the most appropriate way of addressing the perceived problems associated with freedom camping. A bylaw may only be made under the Act to address one or more of the following purposes with respect to land (i.e. the area) that is controlled or managed by QLDC (and Waka Kotahi New Zealand Transport Agency (**NZTA**) land, subject to the approval of NZTA's Chief Executive):

- a. to protect the area,
- b. to protect the health and safety of people who may visit the area, and
- c. to protect access to the area.

¹ Sections 83 and 86 of the Local Government Act 2002

Council received 377 submissions on the draft bylaw and 69 submitters have asked to speak to their submission in person (or online) at a hearing for the draft bylaw. An additional five submissions were received after the consultation period closed.

The Panel is being asked to receive written and oral submissions and recommend to Council a final form of the draft bylaw. This report presents officer advice and recommendations to the Panel on key issues and options identified in the submissions.

In response to submissions, officers recommend that the Panel consider the following amendments to the draft bylaw:

- A new definition for 'waterbody' and add a new clause any freedom camping vehicle to be positioned at least 10 metres from any waterbody on any site identified as a restricted rural road;
- New explanatory notes:
 - To clarify the application of requirements relating to length of stay and hours of departure and arrival at restricted freedom camping areas;
 - To clarify freedom camper obligations with respect to camping on rural roads in terms of available locations and road safety;
- Identify that 'mettled' surfaces can also be used for freedom camping on rural roads;
- Amendments to the five metre setback requirement on rural roads to more clearly express its intent, in particular that unsealed roads are subject to the requirement and the distance from which the setback is measured i.e. from the marked shoulder (where marked) or edge of metalled/gravel (where no hard shoulder or seal);
- Amend Clause 9 (Temporary changes to restricted freedom camping areas) to provide further specificity of the provisions in order to improve transparency concerning the anticipated impacts to freedom camping opportunities in the district, and to improve administration of any such processes;
- Amend the hours of arrival and departure requirements for specific restricted freedom camping areas to reflect the general function of carparking areas, and to improve consistency, understanding and enforcement processes;
- Amend the name of the 'Flint Street, Arrowtown' restricted freedom camping area to 'Hansen Road, Arrowtown';
- Include conditions for the Camp Hill Bridge restricted freedom camping area to require the use of marked motor vehicle spaces;
- Amend Schedule 1B to correct errors with respect to the identification of some restricted rural roads;

- Amend Schedule 2 so that Shotover and Stanley streets (NZTA SH6) are included as local authority areas, and that as urban streets, are prohibited for freedom camping (with NZTA consent); and
- Minor amendments to improve the intended application of the bylaw with respect to where freedom camping is prohibited.

A list of all amendments recommended by officers are included as **Attachment D**.

Recommendation | Kā Tūtohuka

That the Hearing Panel:

1. **Note** the contents of this report;
2. **Receives** all submissions to the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025, hears the submitters who wish to be heard;
3. **Agree** to accept the late submissions for consideration; and
4. **Recommend to Council** a final form of the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 to be adopted, with changes as an outcome of the consultation process.

Prepared by:



Name: Luke Place
Title: Principal Policy Advisor
12 August 2025

Reviewed and Authorised by:



Name: Kenneth Bailey
Title: Community Services General Manager
19 August 2025

Context | Horopaki

Freedom camping in the Queenstown Lakes District

1. The district is known to be one of the most popular camping destinations in New Zealand, and the most popular place for overnight 'free camping'. The total number of overnight campers over 2024 was 7,794, or more than double the number of overnight stays at the next most popular territorial authority area² (**Figure 1**). These numbers have not yet recovered from pre COVID-19 levels for the QLD when 24,802 overnight stays were recorded in 2019³. It is noted that that the data only represents freedom campers who use the Campermate app, so not all freedom campers are captured. In addition, the counts are dependent on a number of variables but nonetheless remain a useful proxy for analysis.⁴
2. The popularity of freedom camping in New Zealand has significantly increased in recent years. It is estimated that the number of international visitors practising freedom camping rose from 10,000 to 123,000, in the decade between 2008 and 2018⁵.
3. Freedom camping forms one part of the district's tourism-centered economy. Tourism activities provide the district with 37.5% of its jobs and 25.6% of its gross domestic product as of March 2023⁶.
4. The latest resident sentiment research (Views on Tourism⁷) for the district shows that residents' sentiment towards tourism has been declining. Residents are 'significantly less' positive towards tourism compared to the rest of New Zealand, and a high proportion of residents report having experienced positive benefits alongside adverse impacts of tourism. The research suggests residents are finding it difficult to navigate the positive and negative effects of tourism and that this is impacting tourism's social licence to operate. Residents have been expressing a range of adverse impacts from freedom camping in the district in the form of request for service applications to QLDC. These adverse impacts have also been observed and reported by QLDC's summer ambassadors⁸.

² Campermate app, Overnight Stays at 'free camps', 2024

³ Campermate app

⁴ Examples of such variables include:

Overnight Stays - are recorded when an app user first detected within 500m of their previous day's last location on the following day. e.g. If an app user stays in the same location multiple times, each night is counted as an overnight stay.

Free Camps Stays - refer to overnight stays within a 200-meter radius of a free campground's GPS coordinates.

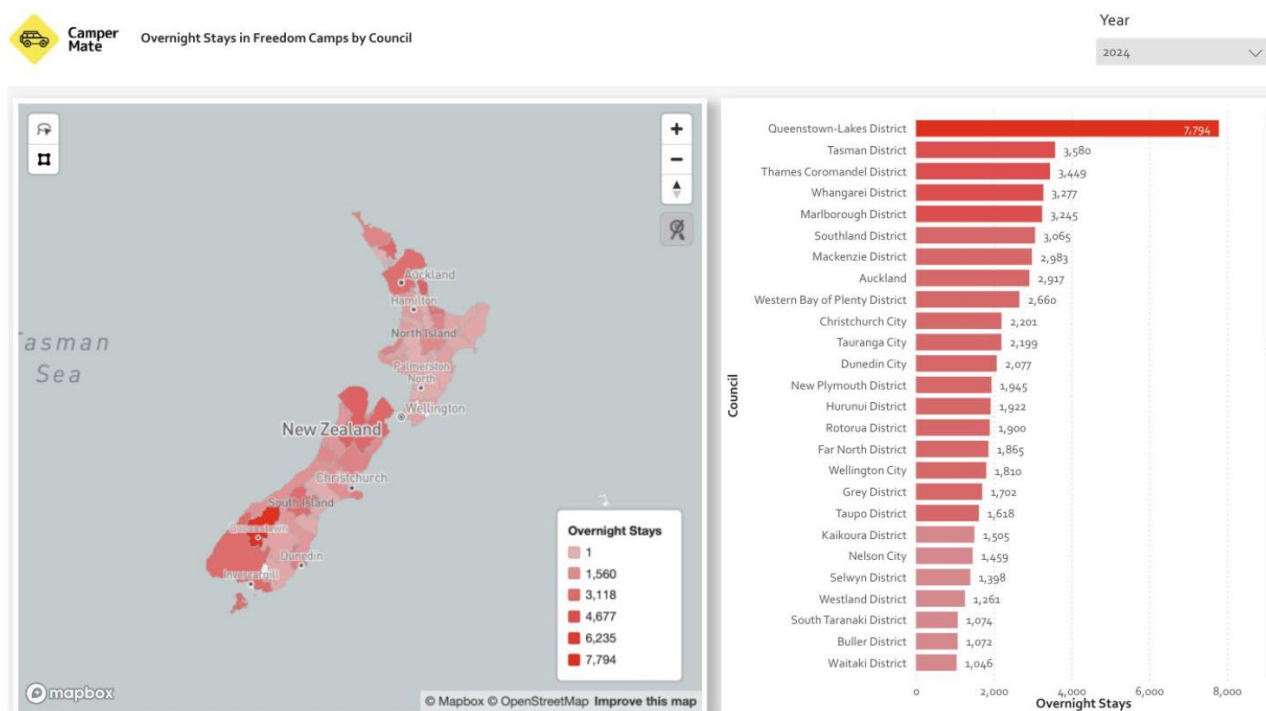
⁵ <https://www.mbie.govt.nz/immigration-and-tourism/tourism/tourism-projects/responsible-camping/responsible-camping-working-group/>

⁶ infometrics.co.nz

⁷ Destination Queenstown and Lake Wānaka Tourism, Views on Tourism Research (Angus & Associates). N = 525 Queenstown Lakes. Conducted between October 2023 and March 2024

⁸ QLDC employs 'summer ambassadors' over the peak summer period to visit popular freedom camping locations and share information on how to camp sustainably, improve visitor behaviour, promote local commercial or DoC campsites, and encourage campers to make the 'Tiaki promise'

Figure 1 Campermate app overnight camping locations by territorial authority area in 2024



- The popularity of freedom camping in the district is reflected in the quantum of infringements issued under the Act, observations made by QLDC's 'summer ambassadors'⁹ and request for service applications made by members of the public (**Attachment C**). This data reflects that freedom camping presents an important issue to the district's residents. A wide range of adverse impacts are being experienced by freedom camping related to the values of areas controlled and/or managed by QLDC, as well as access to and health and safety on these areas. This creates a tension and dissatisfaction for residents and visitors alike.

Legislative context

- The Freedom Camping Act 2011 (**the Act**) regulates freedom camping on land controlled or managed by local authorities, Waka Kotahi NZTA (**NZTA**), the Department of Conservation (**DoC**) and Toitū Te Whenua Land Information New Zealand (**LINZ**). Private land is not subject to the Act. The key tenant of the Act is that it enables freedom camping in any local authority area (and on NZTA land), unless it is restricted or prohibited under a freedom camping bylaw made under section 11 of the Act. The effect of this is that there is a presumption that freedom camping on local authority and NZTA land is permitted, including in a tent or other temporary structure.

⁹ QLDC employs 'summer ambassadors' over the peak summer period to visit popular freedom camping locations and share information on how to camp sustainably, improve visitor behaviour, promote local commercial or DoC campsites, and encourage campers to make the 'Tiaki promise'

7. The Act specifies that freedom camping involves camping (other than at a camping ground¹⁰) in a tent or other temporary structure, or a motor vehicle¹¹ within 200 metres of an area accessible by a motor vehicle, or a formed road or a 'great walks track'. It excludes the temporary and short-term parking of a motor vehicle, a 'day-trip excursion' and resting or sleeping at the roadside to avoid driver fatigue. The Act includes provisions which ensures that it (and any bylaws) do not apply to any person experiencing homelessness.¹²
8. Vehicles that are not self-contained are not permitted (as of right) to camp on any land that is controlled or managed by a local authority. The Self-contained Motor Vehicles Legislation Act 2023 introduced requirements for self-contained freedom camping vehicles to have a water supply system, a wastewater system and a fixed toilet. Vehicles with portable toilets can no longer be certified as self-contained. The Minister for Tourism and Hospitality has recently announced an extension to the timeframe for compliance with self-containment requirements by one year, to 7 June 2026¹³.
9. Section 44 of the Reserves Act 1977 specifies that 'permanent or temporary personal accommodation' is prohibited on any land classified as reserve. Freedom camping can only be provided for on any reserve land if it is specifically enabled in a reserve management plan for that land, or where the Council exercises its delegation from the Minister of Conservation to uplift the prohibition in all or part of any reserve land. This delegation has been previously exercised by QLDC to uplift the prohibition against camping for the Luggate Red Bridge reserve freedom camping site.
10. A freedom camping bylaw cannot override the prohibition in section 44(1) of the Reserves Act 1977. A freedom camping bylaw could arguably add a second layer of prohibition or restrictions, but it cannot be used to uplift the prohibition under the Reserves Act 1977 to allow freedom camping on a reserve. Only the mechanisms stipulated in the Reserves Act 1977 (through Reserve Management Plans (**RMPs**), giving of Ministerial Consent, or setting aside a camping area) can be used to allow freedom camping on reserves. Council has prepared RMPs to manage the majority of its reserve land¹⁴. Permanent or temporary personal accommodation is not provided for on the majority of QLDC's reserve land. The Reserves Act 1977 therefore prohibits camping on all QLDC reserves. The effect of this approach is that much of the remaining areas of QLDC controlled or managed land (other than roads) that is also outside of reserve land are dedicated car parking areas or roads.
11. The effect of this legislative context is that:
 - a. freedom camping cannot take place on the majority of QLDC **reserve land**, and

¹⁰ Which is defined as a camping ground that has a current certificate of registration under the Camping-Grounds Regulations 1985, or any site at which a fee must be paid to camp at the site

¹¹ Caravan, car, campervan and house truck all come within the term motor vehicle

¹² Freedom Camping Act 2011, s.5(2A).

¹³ [Freedom camping certification extended | Beehive.govt.nz](https://www.qldc.govt.nz/your-council/council-documents/reserve-management-plans)

¹⁴ <https://www.qldc.govt.nz/your-council/council-documents/reserve-management-plans>

- b. freedom camping in self-contained vehicles and tents can take place on the balance of **land controlled and/or managed by QLDC** (i.e. roads and carparking areas) subject to any other restrictions such as those under the Traffic and Parking Bylaw 2018.
12. Section 11 of the Act empowers local authorities to make freedom camping bylaws. Bylaws under the Act can define any area that is controlled or managed by the local authority as a restricted area (meaning that freedom camping is allowed with conditions under the Act) or prohibited area (meaning freedom camping is not allowed). A bylaw can only be made if the local authority is satisfied that it is needed to address one or more of the following purposes:
- a. to protect the **area**,
 - b. to protect the **health and safety of people who may visit the area**, and
 - c. to protect **access to the area**.
13. Section 12 of the Act does not allow for freedom camping bylaws to have the effect of prohibiting freedom camping in all the local authority areas.
14. A bylaw made under the Act can only restrict or prohibit freedom camping on land controlled or managed by a local authority, and NZTA land (with the agreement of the Chief Executive of NZTA¹⁵). Freedom camping on DoC and LINZ land cannot be restricted or prohibited under a freedom camping bylaw adopted by a local authority. The Self-Contained Motor Vehicle Legislation Act 2023 now allows NZTA to delegate enforcement of freedom camping on their land to local authorities.

Background regarding QLDC's Freedom Camping Bylaw 2021 and the wider responsible camping programme

15. QLDC adopted the Freedom Camping Bylaw 2021 (**the 2021 bylaw**) in December 2021. The New Zealand Motor Caravan Association (**NZMCA**) applied to judicially review the 2021 bylaw. The High Court released its first judgment on 20 September 2024¹⁶. Justice Osborne determined that the decision made by the Council to prohibit freedom camping at sites controlled or managed by QLDC was 'tainted' by the inclusion of two irrelevant considerations in the scoring of the area protection criterion under section 11(2)(a)(i) of the Act, namely the 'amenity values factor'¹⁷, being protection of the amenity values of an area including residential and commercial areas (e.g. protection of views from residential and commercial properties, protection from noise from camping activity and arrival and departure of campers, loss of privacy).

¹⁵ Section 11(3) of the Act requires written consent from NZTA before making a bylaw under subsection (1) that applies to any area of NZTA land.

¹⁶ [NZCMA v. QLDC \[2024\] NZHC 2729 \[20 September 2024\]](#)

¹⁷ At para. 154

16. The High Court ruled that these were irrelevant considerations, and the bylaw was quashed with effect from 20 September 2024. This decision provided insight into the factors that Council can consider when making the new bylaw and the extent to which Council can respond to community sentiment when developing a bylaw, but it also has had negative impacts on freedom camping ‘hot spots’ throughout the district.
17. In the absence of a freedom camping bylaw, QLDC lacks direct mechanisms to efficiently and effectively manage the adverse effects of freedom camping relating to protecting access, health and safety, or other values of QLDC controlled or managed areas. While the traffic and parking regulations and the Reserves Act 1977 apply in certain situations, they do not directly regulate the activity and adverse impacts of freedom camping across the district.
18. The purpose of QLDC’s Responsible Camping Programme is to balance community interests with providing a positive visitor experience. The programme will run again this summer and will continue to focus on educating visitors on how to behave appropriately, camp sustainably and follow local rules so that both residents and visitors can enjoy shared spaces. The use of ‘summer ambassadors’ over the peak visitor season provides an ‘on the ground’ friendly approach to education and behavior change, supported by enforcement when required. Supplementing summer ambassador in-person engagement, the programme uses a range of tools to communicate with campers, including pamphlets, signage, radio, digital advertising, and website information. Guided by the Responsible Camping Strategy, the programme welcomes responsible campers and expects all visitors to respect the environment, contribute to the community, and enjoy the region sustainably. The Strategy also advocates cross-agency collaboration to manage freedom camping, which officers will continue to pursue. The Responsible Camping Strategy is a non-statutory document that sits outside of the draft bylaw. Together with the Responsible Camping Programme, the Strategy guides how QLDC engages with campers who visit the district. One of the outcomes of the Strategy is that QLDC regularly reviews its regulatory and enforcement system, including the bylaw, to ensure it effectively manages visitor behaviour.

Steps taken to date in developing a new freedom camping bylaw

19. The draft bylaw has now reached the stage in the process where it is ready to be considered by the Panel following public consultation. The current progress for the draft bylaw is set out in **Figure 2** below.



Figure 2 High level overview of the bylaw review process

20. The review process and key milestones for this bylaw review are summarised in **Table 1** below.

Table 1 Engagement with Councillors in developing a freedom camping bylaw to date.

Date	Details
20 March 2025 Council meeting	<p>Purpose of report:</p> <ul style="list-style-type: none"> a. Provide an analysis of perceived problems arising from freedom camping; b. Set out options to manage freedom camping and its adverse impacts; c. Analyse the advantages and disadvantages of each option; and d. Recommend that Council determine that a freedom camping bylaw together with non-regulatory tools is the most appropriate option for addressing the perceived problems associated with freedom camping (in regard to access, health and safety or the protection of areas). <p>At this meeting, Council agreed with the officer recommendations, and authorised officers to undertake further assessments into the effects of freedom camping on land controlled or managed by Council.</p>
15 April 2025 Council workshop	<p>Purpose of workshop:</p> <ul style="list-style-type: none"> a. Receive guidance to focus the development of a draft bylaw; and b. Understand councillor priorities and principles for regulatory intervention at a district scale. <p>At this workshop, Councillors directed that reserve land should be managed under the Reserves Act 1977 and the balance of Council controlled and/or managed land should be managed under a freedom camping bylaw. In addition, councillors noted that a freedom camping bylaw needs to be in line and proportionate to the perceived problems.</p>
22 May 2025 Council workshop	<p>Purpose of workshop:</p> <ul style="list-style-type: none"> a. Share preliminary findings on areas where freedom camping may be restricted (i.e. areas where camping can take place subject to conditions), that identified some areas of reserve land) or prohibited; b. Receive feedback on preliminary restricted camping areas; and c. Describe the preliminary assessment approach to inform the regulation of freedom camping. <p>At this workshop, Councillors shared a variety of perspectives with respect to the identification of reserve land for freedom camping. On balance, Councillors expressed a preference to avoid freedom camping on reserve land where possible, and to continue to rely on the Reserves Act 1977 methods to manage freedom camping on reserve land if necessary.</p>

Date	Details
26 June 2025 Council meeting	Purpose of report: a. Present Council with a draft bylaw and statement of proposal, and b. seek that Council adopt the draft bylaw for formal consultation and the statement of proposal, and agree to initiate public consultation.
8 July 2025 to on 8 August 2025	Formal consultation period. Public drop-in sessions were held in Queenstown and Wānaka on 14 July 2025 and 15 July 2025 respectively. A public webinar was held on 28 July 2025.
Week of 26 August 2025	Hearings and deliberations by the hearings panel.
9 October 2025	Council to deliberate and asked to adopt the bylaw.

The draft bylaw

21. The draft bylaw that was consulted on comprised the key components set out in **Table 2** below.

Table 2 Key components of the draft bylaw that was consulted on

Key component	Details
Specific restricted freedom camping areas	15 specific restricted freedom camping areas have been identified in the draft bylaw, where freedom camping is to be allowed subject to specific conditions. These areas are shown in Schedule 1A of the draft bylaw. A total of 158 vehicle parking spaces are provided for across the 15 specific restricted freedom camping areas. This includes 110 vehicle parking spaces in the Whakatipu Ward, five vehicle parking spaces in the Arrowtown Ward, and 43 spaces in the Wānaka Ward.
Rural road restricted freedom camping areas	The district's rural roads have been identified as restricted freedom camping areas. These are roads that are located outside of the district's urban built up areas (ie commercial, town centre, residential, business). Freedom camping can take place on rural roads in any area off the active road corridor (i.e. off road layby etc areas) provided it complies with the proposed conditions specified in the draft bylaw. These locations are shown in Schedule 1B of the draft bylaw.
Urban road prohibited freedom camping areas	The district's urban roads have been identified as prohibited freedom camping areas. These are roads that are located inside the district's urban built up areas (ie commercial, town centre, residential, business).

Key component	Details
	Freedom camping cannot take place on any urban roads which includes any on-road vehicle parking spaces (ie parallel, angle, etc parking spaces). These locations are shown in Schedule 2 of the draft bylaw.
Type of freedom camping	The draft bylaw does not propose any areas where freedom camping in a non-self-contained motor vehicle or tent is provided.
Temporary changes to restricted freedom camping areas	QLDC can temporarily make changes to the way that freedom camping is regulated in any restricted or prohibited freedom camping area (or any local authority area) in order to address unanticipated or emergency events related to a need to protect the area, access and/or health and safety.
Discretionary consent to freedom camp	Applications can be received from any person to temporarily freedom camp in any local authority area in which freedom camping is prohibited or to freedom camp in any restricted area not in accordance with the conditions specified for that location, for one off or community events such as scout and guide events, sporting and club events, marae-related events, community and school events.

Analysis and Advice | Tatāritaka me kā Tohutohu

Submissions received on the draft bylaw

22. QLDC received 377 submissions on the draft bylaw. 298 submissions were received via the Let's Talk survey and 79 submissions were received via email. 308 submissions were from individuals and 69 submissions were from organisations. **Figure 3** below provides an illustration of submitters' location of residence.

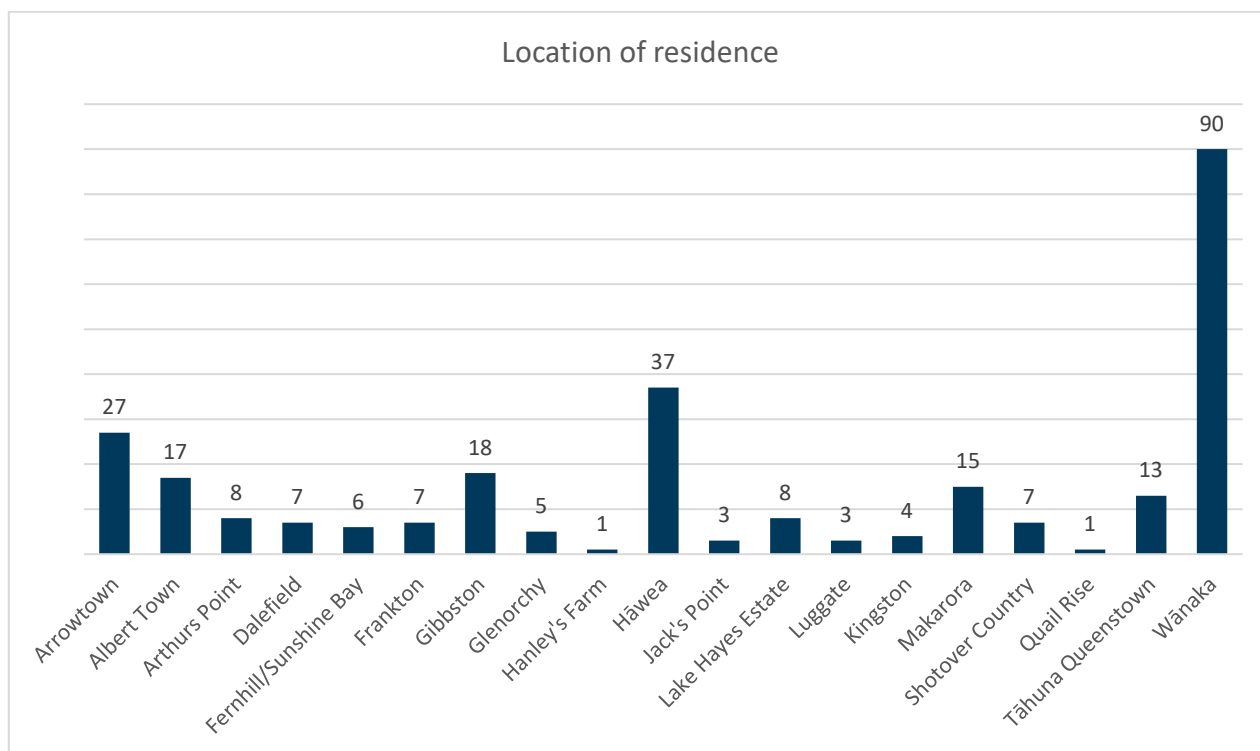


Figure 3 Submitters' location of residence

23. Five submissions were received late¹⁸. Officers recommend that the Panel formally accept these submissions, that the submitters be heard and considered by the Panel. Any statistics noted in this report do not include these five late submissions.

Overall approach of draft bylaw

24. Council's online survey invited respondents to provide their position on the overall approach to the draft bylaw. **Figure 4** below illustrates the distribution of positions provided in response to this question (including emailed submissions where applicable).

¹⁸ Dr W A N Brown, Brett Giddens Malaghans Investments Ltd, Sally Buckenham, Montreal Trustees Limited and Tourism Industry Aotearoa.

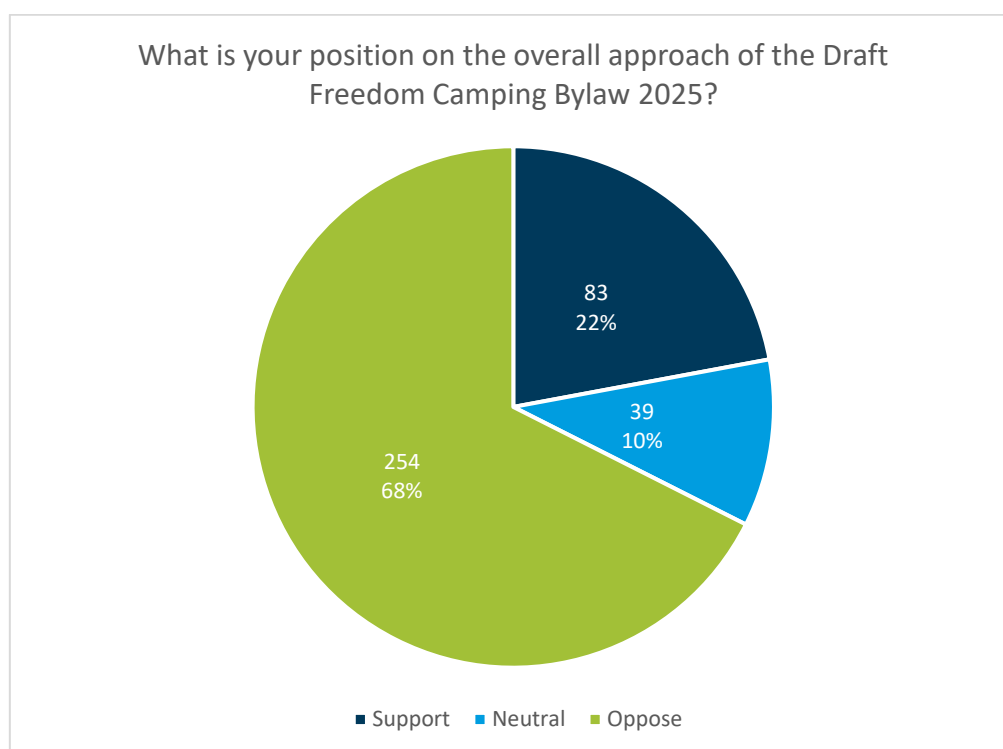


Figure 4 Submitters' position on the overall approach of the draft bylaw

25. **Figure 4** illustrates that the majority of respondents oppose the overall approach of the draft bylaw. Of those who opposed the draft bylaw 13 respondents opposition was made on the basis that the draft bylaw was too restrictive, and 230 respondents opposition was made on the basis that the draft bylaw was too permissive. 83 respondents supported the draft bylaw and 39 respondents reported a neutral position.
26. Feedback from those respondents who supported the draft bylaw - a number of respondents supported the overall approach in the draft bylaw but sought additional amendments, such as:
- Ensure freedom camping areas have appropriate facilities, such as toilets and waste disposal, and require campers to remove all waste.
 - Standardise and relax arrival and departure times and limit the number of nights permitted (typically two or three) in rural areas.
 - Introduce or clarify additional restrictions in urban areas, including prohibiting camping behaviour (like outdoor cooking or setting up chairs) in car parks, while allowing it in rural locations.
 - Prohibit freedom camping near commercial campsites and in certain specifically restricted or sensitive areas, with opposition noted for some proposed restrictions.
 - Provide more low-cost campsites and carparking.

- f. Allow sites or exemptions for larger vehicles (up to 12 metres) and amend the 5 metre set back restriction on rural roads
- g. Consider exemptions for New Zealand residents or NZMCA members.
- h. Implement digital check-in systems and improve monitoring, enforcement, signage, education, and communication.
- i. Clarify bylaw wording, especially section 6, subsection 2A, and consult further with stakeholders like the Department of Conservation on closed campsites and other issues.

27. Feedback from those respondents who opposed the draft bylaw and who also considered the bylaw was too restrictive includes:

- a. More freedom camping locations, spaces and opportunities should be made available, including reserves and camping in tents.
- b. Excluding reserve land creates ambiguity for campers and enforcement officers.
- c. Reduce restrictions on arrival and departure times, allowing flexible stays, particularly for caravans and local workers relying on vehicle-based accommodation.
- d. A more permissive approach should be provided in rural areas.
- e. Clarity on how the two-night stay works.
- f. Provide sufficient infrastructure and identify at least 100 camping spaces at 516 Ladies Mile.
- g. CamperMate data insufficient to apply prohibitive approach.
- h. Ensure definitions and frameworks regarding 'road' and regulatory justification are clear and appropriate, preferring the Land Transport Act 1998 over the Local Government Act 1974.
- i. Insufficient justification with respect to drawing on RMA-based frameworks to justify restrictions.

28. Feedback from those respondents who opposed the draft bylaw and who also considered the bylaw was too permissive includes:

- a. Prohibit freedom camping in all urban, rural, and roadside areas, especially where parking is limited or near residential, commercial, or scenic locations.
- b. Restrict camping to paid or commercial campgrounds and only allow it where adequate infrastructure and facilities exist.

- c. Enforce effective education, monitoring.
- d. Bylaw provisions are too vague and need to be site specific
- e. Minimum vehicle spacing to reduce fire risk
- f. Make the bylaw provisions clearer and more detailed.
- g. Require camping vehicles to meet certification standards, possibly through the WOF process, and collect fees from freedom camping sites.
- h. Oppose freedom camping in designated restricted areas, and call for clear, district-wide maps indicating prohibited and restricted zones, especially near waste disposal facilities and DoC amenities.
- i. Advocate for partnerships with organisations such as LINZ, DoC, tourism operators, and the NZMCA to better manage freedom camping and identify suitable locations through research and community engagement.
- j. Suggest the creation of one large, designated camping area rather than numerous small sites, and recommend that certain carparks, such as Mt Iron (pending land ownership change from DoC to QLDC), be prohibited for freedom camping.

29. Feedback from those respondents who expressed a neutral position on the draft bylaw includes:

- a. Overall support for the draft bylaw but request stricter rules regarding onboard toilet use and concerns about waste and toileting facilities. Many suggest providing toilets and effective monitoring and enforcement.
- b. Preference for commercial campgrounds and DoC sites, with calls to expand designated freedom camping areas and better accommodate larger vehicles.
- c. Concerns that current restrictions, such as arrival/departure hours, rural road access, and parking limitations, may negatively impact tourism, local businesses, and those unable to afford other accommodation.
- d. Mixed views on the number of freedom camping sites available, some find them too restrictive, while others believe too many are provided.
- e. Suggestions to introduce fees for freedom camping and to consider impacts on residential properties and amenity, and parking access for other users.

30. Officer recommendations and rationale:

- a. **Waste and toileting** - Officers acknowledge submitters concerns relating to the disposal of waste and toileting outside of vehicles, and requests for infrastructure (i.e. toilets, rubbish bins etc.) at sites identified for freedom camping. Other submitters have raised

concerns in regard to the certification process for self-containment or requested additional bylaw provisions relating to the use and access of toilets within vehicles. The draft bylaw only provides for freedom camping in certified self-contained vehicles. Officers consider that it is appropriate to rely on the default position in the Act and the amendments introduced by the Self-contained Motor Vehicles Legislation Act 2023 with respect to the standard required for self-containment to manage toileting related issues. Further, the draft bylaw contains a condition that requires campers to take all waste away with them. QLDC will continue to communicate, educate, monitor and enforce these standards (and infringe against breaches where appropriate) to manage associated adverse impacts. Officers do not recommend any amendments in regard to this matter.

- b. **Matters outside of scope** - Submitters frequently requested that freedom camping sites be separated from commercial campgrounds, urban areas, residential properties or areas close to waterways. Other submitters requested that freedom camping sites be in less scenic or less desirable locations. Officers consider that such matters fall outside of the scope of what can be considered under section 11 of the Act when making freedom camping bylaws. The type of adverse impacts raised by these submitters relate to private land, or economic/amenity effects on land that is not controlled and/or managed by QLDC. The High Court judicial review decision on QLDC's 2021 bylaw found that these effects fall outside the scope of section 11 of the Act.
- c. **Blanket prohibitions** - A range of submitters requested that freedom camping should be prohibited across the entire district on account of its adverse impacts. This amounts to a blanket prohibition of freedom camping which is prevented under section 12 of the Act, and which is not supported by the technical assessment QLDC has commissioned to inform the draft bylaw. However, some submitters oppose the bylaw on the basis that it is too restrictive and amounts to a blanket ban that is at odds with section 12 of the Act. While there are no local authority areas left under the default presumption of the Act, officers do not agree that the draft bylaw amounts to a blanket prohibition on freedom camping. The draft bylaw applies a balanced and evidenced based approach to prohibiting or restricting freedom camping and provides a range of opportunities for freedom camping across the district. It is also noted that the Act does not establish a requirement for bylaws to provide minimum or maximum provisions of freedom camping space, but that prohibitions and restrictions need to be considered against the matters in section 11.
- d. **Charging a fee** - Submitters requesting that freedom campers be restricted to commercial campgrounds or that QLDC charge for the use of restricted sites or collect other revenue from freedom campers. This is not provided for under the definition of freedom camping in the Act which specifies that freedom camping does not include camping at a campground¹⁹ and does not therefore include fee paying camping.

¹⁹ Section 5 of the Act refers to a camping ground as a location that is the subject of a current certificate of registration under the [Camping-Grounds Regulations 1985](#) and any site at which a fee is payable for camping.

- e. **Reserve land** - Some submitters requested that reserve land be included in the bylaw to provide additional spaces for freedom camping. The draft bylaw does not include any land classified as a reserve, as the Act does not provide for freedom camping bylaws to permit freedom camping on any land classified as reserve. Section 44 of the Reserves Act 1977 prohibits temporary or permanent accommodation on reserve land unless it is provided for in a reserve management plan that applies to the land or ministerial delegation has been applied to uplift the prohibition. QLDC is not required to exercise either of these tools when developing a freedom camping bylaw. Concerns were also raised that this approach may create ambiguity for campers and enforcement officers with respect to where camping can take place. Officers do not agree that the legislative tool prohibiting or allowing camping in any instance creates insurmountable challenges subject to effective communication and education. Separate to the development of a bylaw, officers will be investigating additional sites for low-cost and freedom camping in the district as part of the wider responsible camping programme. This investigation will consider how technology can be used to monitor freedom camping activities and enforce regulations. Prohibited and restricted freedom camping areas and associated conditions have been informed by the technical assessment and other data collected by officers, and no new supporting information has been presented through submissions that would be necessary to support different decisions under section 11 of the Act.
- f. **Meeting the demand for freedom camping areas** - A number of submitters requested that additional spaces be provided to meet demand for freedom camping, or that parking spaces be designed/formed to provide for different types/sizes of freedom camping vehicles. Officers acknowledge that the district is the most popular place for free camping in Aotearoa New Zealand and that there are a wide range of types/sizes of vehicles used for freedom camping. However, the Act does not require that bylaws be developed to meet the demand for freedom camping, nor to provide spaces that accommodate different types of vehicles. These matters are outside the scope of section 11 of the Act. It is also noted that the draft bylaw has not specifically identified the vehicle parking spaces allocated for freedom camping in each restricted area, and the operationalisation of the bylaw may consider the nature of spaces made available. Further, some of the specific restricted areas (i.e. Kingston and Camp Hill Road, and any site on a rural road that meets the specified conditions), may be suitable for accommodating larger vehicles.
- g. **CamperMate data** - A submitter was concerned that reliance on CamperMate app data to restrict freedom camping was inappropriate. QLDC has not relied on CamperMate app data to determine the location or conditions of prohibited or restricted freedom camping areas. This information, alongside other data, provides context for the quantum of freedom campers that the district receives in comparison to other districts. The location and conditions of prohibited and restricted freedom camping areas has been informed by technical assessments and other data collected by QLDC with respect to those matters under section 11 of the Act.

- h. **Two-night stay provision.** A submitter requested clarity on how the two-night stay condition should be interpreted. This provision is intended to work alongside the restricted area's hours of arrival and departure condition. This means a freedom camper must depart a space outside of the specified hours but can return to the same or a different space within the same restricted area for a second night within the specified hours²⁰. Returning for a third night to the same or a different space within the same specific restricted area would contravene the draft bylaw. The draft bylaw anticipates that a freedom camping vehicle space will be available to any other person or any other vehicle outside of the specified overnight hours. Officers acknowledge that the draft bylaw could benefit from including an explanatory note to this effect, and it is recommended that the following be added to the draft bylaw at any location where this provision is referenced:

Explanatory note A – specific restricted areas with arrival and departure restrictions: A freedom camper is permitted to stay in the same location or vehicle space overnight provided they depart the location or vehicle space outside of the hours specified for this location. Any vehicle space in the location must be left vacant in accordance with the conditions for that location and can be used by any other person/vehicle. A freedom camper may return to the same location or vehicle space for a second night during the hours specified for this location. A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30-day period. The intent of this provision is to ensure access to multiple different users.

The interpretation for Kingston and Camp Hill Bridge specific restricted areas and rural roads is different. The draft bylaw anticipates that at these specific restrict areas and on rural roads a freedom camper need not move from the location they have parked their vehicle over the two-night period from the time they arrive. This is on account of the different access demands present at these locations in comparison to other specific restricted freedom caping areas. As such, the following explanatory note is recommended to be added:

Explanatory note B – specific restricted areas at Kingston and Camp Hill Bridge: A freedom camper is permitted to stay in the same location overnight for a maximum period of two nights. A freedom camper is not required to move their vehicle from the period they arrive in the location for two nights; however, they must leave the space before the departure time condition applied after the second night A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30 day period.

Explanatory note – rural roads: A freedom camper is permitted to stay in the same location overnight for a maximum period of two nights. A freedom camper is not required to move their vehicle from the period they arrive in the location for two nights. A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30 day period and is not permitted to camp overnight

²⁰ Note that the Kingston and Camphill Bridge restricted freedom camping sites allow for freedom campers to stay for two consecutive nights without moving their vehicle given the nature of these locations.

for a third night within 500 metres of the location that the person had freedom camped within the previous two nights.

- i. **Monitoring and enforcement.** Several submitters have raised concerns regarding the need for proactive and effective monitoring and enforcement of freedom camping activities, and suitable application of infringements when freedom campers are found to have breached the Act or bylaw provisions. QLDC's regulatory team have been involved in the development of the draft bylaw and acknowledge the concerns raised by submitters. The following points provide an overview of the regulatory activities undertaken by QLDC and potential responses to support the draft bylaw:
- QLDC have many years of experience at enforcing the entire district through the Act, previous bylaws and more recently the Reserves Act 1977.
 - A mix of proactive targeted patrols and Request for Service (RFS) applications/responses to manage freedom camping non-compliance are employed. The enforcement of the Act is undertaken through a proportionate enforcement approach where resources are adjusted subject to demand and non-compliance observed and enforced. There is an aim of being cost neutral where possible, with fees collected from infringements covering the cost of the service.
 - This approach allows QLDC to increase or decrease resourcing depending upon demand. Enforcement is carried out in line with the QLDC Prosecution Policy and Enforcement Strategy 2021 by applying proportional enforcement (i.e. more hours of patrol in summer when more tickets are issued, less hours in winter when less campers are present, and additional patrols added for hot spot areas or new issue locations). The Prosecution Policy and Enforcement Strategy 2021 encourages self-compliance prior to enforcement action taking place. Signage and communication is an effective way to achieve self-compliance with most people complying with the signage in the first instance.
 - QLDC focus enforcement on known issue locations, utilising prior knowledge, data, and create summer and winter regular patrolled routes based upon demand and non-compliance. Patrols are undertaken during the early hours of each day while people are in the act of freedom camping. This is a common enforcement model across multiple regulatory regimes. The common places for non-compliance across the district are known and the specific restricted sites would be monitored closely. These patrol routes are assessed and amended as the demands change across the district.
 - Patrols are currently conducted overnight. Patrols are currently conducted overnight. Daytime patrols do not currently take place. Daytime patrols could be introduced however, this will increase the costs of the service. It is anticipated that daytime patrols will be more challenging for enforcement of these restrictions to cover their own cost.

- It also needs to be considered that some camping vehicles may remain in these locations to undertake activities during the day. Care will need to be taken around the requirements of the Act, specifically that section 5(2)(b) allows for recreational activities commonly known as day trip excursions during daylight hours. It is necessary to ensure that infringements are issued where there is clearly a breach of the Act and/or the bylaw and that vehicles that may appear to be camping are not infringed (i.e. camping type vehicles during daytime hours).
 - Operationalisation of the bylaw (such as the identification and marking of any specific vehicle parking spaces in restricted areas) would be done in collaboration with QLDC's regulatory team to ensure that processes can be established for effective and efficient monitoring and enforcement.
- j. **Definition of 'road'** – A submitter has requested that the draft bylaw uses the Land Transport Act 1998 definition of 'road'. The submitter suggests that this definition is more commonly used in freedom camping bylaws. The draft bylaw uses the definition provided under section 315 of the Local Government Act 1974. The submitter is concerned that the Local Government Act 1974 definition is broader and will enable QLDC to classify more areas as 'roads' potentially extending freedom camping restrictions to places not traditionally considered roads or public areas by the general public or under transport law. The submitter suggests that this would lead to confusion for campers and inconsistent enforcement. Officers consider the Land Transport Act 1998 definition of road to be wider than that of the Local Government Act 1974 definition, extending to land that is not 'legal road' such as '*(d) a place to which the public have access, whether as of right or not*'. It is generally accepted that the words in section 315 of the Local Government Act 1974 carry a narrower interpretation. As such, officers do not recommend any amendments to the definition of road.
- k. **Resource management frameworks** - Concerns have been expressed with regard to the application of Resource Management Act 1991 (**RMA**) based frameworks to justify restrictions, and the need to apply well-established principles from RMA case law. While district plan zones have been applied to assist in determining the boundaries between urban and rural roads, no other RMA frameworks have been applied. Section 11 matters in the Act relating to protection of the area, access and health and safety have determined the response to freedom camping in all locations addressed in the draft bylaw.

Rural roads

31. Council's online survey invited respondents to provide their position on the approach applied on rural roads. **Figure 5** below illustrates the distribution of positions provided in response to this question (including emailed submissions where applicable).

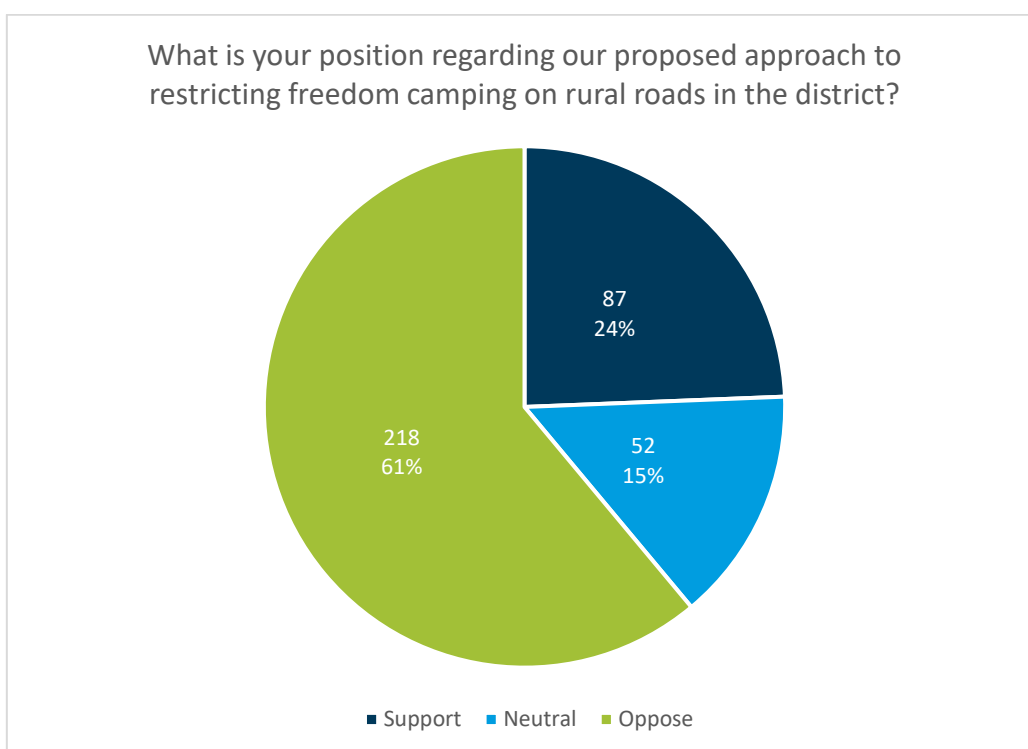


Figure 5 Submitters' position on the rural roads approach of the draft bylaw

32. **Figure 5** illustrates that the majority of respondents oppose the approach to rural roads in the draft bylaw. Of those who opposed the rural roads approach, 19 respondents opposition was made on the basis that the draft bylaw was too restrictive, and 193 respondents opposition was made on the basis that the draft bylaw was too permissive. 87 respondents supported the approach and 52 respondents provided a neutral position.

33. Feedback from those respondents who supported the rural roads approach includes:

- a. A number of respondents supported the rural roads approach in the draft bylaw but sought additional amendments to manage the adverse impacts of freedom camping, such as:
 - i. Freedom camping should be allowed on rural roads with designated areas and proper signage to improve safety and traffic flow.
 - ii. Time limits and restrictions should not apply unless necessary for safety
 - iii. Prohibit freedom campers in proximity to residential properties.
 - iv. Effective monitoring, enforcement, and communication are needed, including speed limits, pull-over signs, and clear information for campers.
 - v. Campers must keep areas clean by taking rubbish with them and respecting waterbodies

vi. Upgrade lay-bys and provide specific freedom camping parks to meet future demand and accommodate large vehicles safely.

vii. Fees should be required for freedom camping on rural roads.

34. Feedback from those respondents who opposed the rural roads approach and who also considered the bylaw was too restrictive includes:

- a. Identify suitable spots for restricted freedom camping on rural roads and clearly communicate rules to campers.
- b. Oppose the 5-metre road shoulder setback and ground surface restrictions.
- c. Address problem areas by investing in infrastructure like rubbish bins and toilets, while allowing responsible overnight parking elsewhere.
- d. Ensure self-contained freedom campers have the same parking rights on rural roads as other vehicles.

35. Feedback from those respondents who opposed the rural roads approach and who also considered the bylaw was too permissive include:

- a. Prohibit or restrict freedom camping on rural roads, especially near established campgrounds and residential properties; require campers to use designated areas or campgrounds with basic amenities.
- b. Allow freedom camping only on specific, assessed rural road locations such as formed, gravelled spaces, with clear guidelines on which roads are suitable.
- c. Clarify the definition of rural roads, possibly based on distance from towns, and identify which roads meet the conditions for restricted camping.
- d. Implement effective monitoring, enforcement, and control vehicle numbers in permitted areas.
- e. Prohibit freedom camping on certain roads considered unsafe or unable to meet specified conditions.
- f. Engage in further consultation with affected rural communities to refine policy and restrictions.

36. Feedback from those respondents who expressed a neutral position on the rural roads approach includes:

- a. Opposition to the 5-metre road shoulder setback and parking surface restrictions due to safety concerns and perceived inadequacy for parked vehicles.

- b. Objection to the inclusion of specific roads, such as Macetown Road, Oxenbridge Tunnel Road, Hunter Valley Road, Arrow Junction, Morvern Ferry Road, Rutherford Road, Cameron Flat Paper Road, Skippers Road, and Whitechapel Road.
- c. Preference for freedom campers to use commercial campgrounds or Department of Conservation (DoC) sites rather than roadside areas, due to concerns about waste, toileting, congestion, and environmental impact.
- d. Call for clearer definitions of 'rural road' and for designated areas to be identified for freedom camping on rural roads.
- e. Emphasis on the need for effective monitoring, enforcement, and public education regarding camping practices.
- f. Acknowledgment that while some restrictions are necessary, they should be more permissive on rural roads and should consider the impacts on residential properties and other road users.

37. Officer recommendations and rationale:

- a. **Locations of rural roads** - Submitters sought clarity concerning the locations on rural roads that would be available (i.e. meet the conditions of clause 8.3) set out in the draft bylaw, ensure that only 'safe' locations/roads be identified as restricted areas, or that a number of specific rural roads be identified as prohibited on health and safety grounds. Site specific assessments of every rural road in the district have not been undertaken, and it is not considered efficient or effective to do so given the size of the district and the isolation of its rural road network. In addition, the precise number and location of sites across the rural road network that could satisfy the conditions set out in clause 8.3 are not known. The Act does not require local authorities to prepare site specific assessments for each area covered in a freedom camping bylaw, nor does it state how bylaws are to be prepared with respect to areas that are to be prohibited or restricted freedom camping areas. Instead, it specifies that the local authority must be convinced that enacting a bylaw is required to address one or more of the issues outlined in section 11 of the Act. TT have provided advice based on the best available information which advises that stopping areas and laybys on rural roads have constraints relating to access, and health and safety which means that a management approach is justified across QLDC's rural road network. Alternative approaches would be to prohibit camping on rural roads or rely on the permitted baseline set out in the Act. Based on TTs expert advice and the best available information, a practical approach has been applied that achieves a balance between protecting the area and/or access and/or health and safety, and enabling freedom camping subject to necessary conditions across QLDC's rural road network. It should not be assumed that the identification of a rural road as restricted means that any location is available for freedom camping which meets clause 8.3. This would be communicated in the implementation of the bylaw, however, officers consider that this could also be made clearer in the draft bylaw and as such, recommend including the following explanatory note in the draft bylaw under clause 8.3:

Explanatory note – Schedule 1B identifies areas of the rural road network that may have locations available for restricted freedom camping subject to the conditions in clause 8.3. Schedule 1B does not identify any specific location that meets the conditions in clause 8.3. A person wishing to freedom camp in any area identified in Schedule 1B must actively ensure that a location meets every condition in clause 8.3 before freedom camping in that location. Specific locations that may be available on a road identified in Schedule 1B and which also meets the conditions in clause 8.3 are not physically identified.

QLDC would carefully monitor any hotspots that are known or arise across the rural road network and assess whether or not they meet the conditions set out in the draft bylaw. Signage, education and other communication tools can be used to achieve compliance at such sites on a case by case basis. The collection of data and information will inform the future review and amendments to any freedom camping bylaw provisions that are found not to be working as anticipated in accordance with normal bylaw review processes.

- b. **Rural road conditions and safety** - Further, it is anticipated that freedom campers should carefully consider the specific nature of any rural road before travelling on the subject road based on their vehicle's capabilities, their driving experience, and preparedness for different conditions and emergency situations. Officers do not consider it is appropriate for the draft bylaw to restrict what road can be traversed by a freedom camping vehicle. This would be outside the scope of section 11 of the Act given that the activity of freedom camping is not being undertaken when travelling to a location on any road that may meet the conditions set out in clause 8.3. Additionally, it is acknowledged that a range of different vehicles are used for freedom camping that have different 4WD capabilities that can traverse complex and challenging roads. As above, this would be communicated in operationalising the bylaw, however, officers consider that this could also be made clearer in the draft bylaw and as such, recommend including the following explanatory note in the draft bylaw under clause 8.3:

Explanatory note – Schedule 1B identifies areas of the rural road network that may contain complex and challenging terrain or road conditions. A person wishing to travel on any road identified in Schedule 1B should carefully consider their vehicle's capabilities, their driving experience, and preparedness for different road conditions and potential emergency situations.

- c. **Rural road area vehicle numbers** - A submitter requested limiting the number of vehicles that may be permitted to camp on a rural road location. While an upper limit could be applied in clause 8.3, officers do not recommend an amendment to this effect on the basis that the conditions proposed in the draft bylaw are likely to naturally limit the number of vehicles present in any single location. In particular, the conditions require that vehicles be at least 5 metres from the edge of the road shoulder, and any freedom camping vehicle must leave sufficient space at the location for any other person can stop their vehicle in that area for non-freedom camping purposes. These conditions are likely to apply a natural limit on

the number of freedom campers that could be present and compliant in any single location given that laybys on rural roads are not typically large areas. Further, as noted earlier, QLDC has not undertaken site specific assessments of each specific area available on the rural road network capable of meeting the conditions in clause 8.3, and therefore it is not specifically known if an upper limit would be necessary to protect one of those matters set out in section 11 of the Act.

- d. **Protection of rural road areas** - Submitters requested that further consideration be given to the potential impacts of freedom camping on 'the area' at locations across the rural road network that may meet the conditions specified in clause 8.3 of the draft bylaw, and that additional restrictions be applied to ensure appropriate management of adverse impacts. In particular, submitters raised concerns in regard to any waterways/waterbodies that may traverse or be located on sites. Officers acknowledge that there may be locations that contain waterways/waterbodies. This matter has been considered by TTs water quality/quantity expert who has advised that a condition requiring any freedom camping vehicle to be setback at least 10 metres from any waterbody on land owned/managed by QLDC (local authority area) would be appropriate to ensure protection of the area with respect to any waterbody. Officers agree, and recommend that a new condition be included within clause 8.3 as follows:

8.3(x). ensure any motor vehicle is positioned in a location not closer than 10 metres to any waterbody that is located on the local authority area.

In addition, it is recommended that a definition be included in clause 6.1 of the draft bylaw to specify the meaning of a waterway or waterbody as follows:

Water body means water in a river, lake, stream, pond, wetland.

- e. **Rural road area proximity to residential properties and campgrounds** - A number of submitters requested that freedom camping on rural roads should be prohibited in proximity to residential properties or commercial campgrounds, and that freedom campers be restricted to using commercial campgrounds, or that QLDC require campers to pay for the use of any sites used for freedom camping. As outlined earlier in this report, these matters are outside the scope of section 11 of the Act and cannot be taken into account when developing a freedom camping bylaw.
- f. **Rural roads length of stay** - Some submitters sought a less restrictive approach on rural roads with respect to length of stay. The draft bylaw limits the length of stay on any rural road to two nights. Officers do not recommend any amendments in regard to this matter. In order to protect access to locations, the two-night stay provides for a suitable turnover in each location such that a range of users (in particular different freedom campers) can reasonably access different locations that may be available across the rural road network. Given that the popularity of the district for camping (and for domestic and international visitation generally), a length of stay limit that provides for reasonable turnover is considered important to protect access for a variety of users.

- g. **Rutherford Road** - A number of submitters raised concerns with respect to freedom camping along Rutherford Road at the northern end of Lake Hayes. Rutherford Road is a restricted rural road in the draft bylaw. Officers acknowledge that the terminus of the road is a popular informal parking area used by people to access Lake Hayes as well as walking and cycling tracks and the public land in this area. However, officers consider that the terminus area of the road to be part of the road reserve and is not a formal carparking area. As such, freedom camping in this location would not comply with the conditions set out in clause 8.3 (5 metres from the edge of the road that is also a formed gravel or sealed surface).
- h. **Rafters Road** - A submitter has expressed concern with respect to the bottom of Rafters Road, Gibbston which is used for recreational access to the Kawarau River. The majority of land at the end of Rafters Road is owned by DoC and is therefore outside the scope of the Act and the draft bylaw. Officers acknowledge that part of Rafters Road is controlled/managed by QLDC. It is not clear if the part of Rafters Road controlled/managed by QLDC would provide for freedom camping given the 5 metre setback and surface requirements in clause 8.3. Occupancy information for this area is not available and a site specific assessment has not been undertaken. Based on available information, if freedom camping in this location can be undertaken in a manner that meets the draft bylaw provisions officers do not see any section 11 reasoning to amend the draft bylaw in this location.
- i. **Macetown Road** – Macetown Road has been identified as restricted rural road in the draft bylaw. It has come to officers' attention that Macetown Road is not a legal road, not part of the QLDC road network and there are currently no legal easements for vehicle access. It is understood that QLDC does not have control (controlled by LINZ) or management (the NZ 4WD Club manage the road) of this area. As such, officers recommend removing Macetown Road from Schedule 1B of the draft bylaw.
- j. **Rural road 5 metre setback condition** - Submitters have requested that the 5 metre setback condition on rural roads be removed or reduced. TTs traffic/transport expert has considered this and does not recommend any amendments on the basis that this setback is warranted to protect health and safety. In particular, a safe distance/buffer is required between a stopped vehicle and general traffic on a rural road setback to avoid transport/traffic adverse impacts associated with vehicles travelling on rural roads, the opening of doors of freedom camping vehicles, and of vehicle occupants moving around the stopped vehicle. Having said this, Austroads/NZTA guidance²¹ indicates that 3 metres or more width is generally considered safe to provide for larger vehicles to stop clear of traffic lanes. However, this guidance does not specifically consider activities associated with freedom camping nor on rural roads. A precautionary approach has been applied in order to account for this situation and the need to protect health and safety of freedom campers and other road users on rural roads. The Panel may wish to consider amending this setback requirement taking into account the range of submissions made in regard to this matter. However, it is also noted that a range of submissions were made in opposition to freedom camping on rural roads. A submitter

²¹ Section 4.3.2 of [AGRD03-16-Ed3.4 | Austroads](#)

requested further clarification with respect to clause 8.3(b) related to the 5 metre setback from the nearest edge of the road hard shoulder/edge of seal. The submitter is concerned that this condition would mean the clause does not apply to unsealed roads. It is the intent of this clause to apply to the active carriageway of sealed and unsealed roads. TTs traffic/transport expert has considered this and agrees that the clause should be amended to reference unsealed roads and to change the reference from 'hard shoulder to marked shoulder'. The recommend amendments to clause 8.3(b) are set out below:

ensure that the side or part of the motor vehicle closest to the road (that is the carriageway) is located a minimum of 5 metres from the nearest edge of ~~the road hard~~ a marked shoulder (where provided) or edge of seal (where no hard shoulder) or edge of metalled/gravel (where no hard shoulder or seal) at all times;

- k. **Rural road area surface condition** - Submitters have requested that the draft bylaw not restrict the type of surface that freedom campers are required to park on, or that the bylaw provide for seasonal variability with respect to surface restrictions. The draft bylaw requires freedom campers to park on a formed gravel or sealed surface only. Any other surface (i.e. grass) would not meet this condition. TTs traffic/transport expert has considered this and recommends that metalled surfaces may also be added as compliant in clause 8.3(d) as it would achieve equivalent outcomes with respect to protecting health and safety. However, no other amendments are recommended to this condition on the basis that surface restrictions are necessary to protect health and safety from a transport/traffic perspective. If the surface is not gravel, metalled or sealed, then this could create a safety hazard. For example, freedom campers entering and exiting sites need to achieve suitable traction to prevent them from getting stuck or skidding and colliding into another vehicle on the area or travelling on the rural road. TTs traffic/transport expert has considered potential seasonal variability, but does not recommend any amendments given that wet weather can occur year round, and as such, introducing a seasonal condition to allow parking on non-gravel/sealed/metttled surfaces will not address the identified road safety risk and would not protect health and safety. As such, officers do not recommend any amendments in regard to this matter.

Urban Roads

38. Council's online survey invited respondents to provide their position on the approach applied to urban roads. **Figure 6** below illustrates the distribution of positions provided in response to this question (including emailed submissions where applicable).

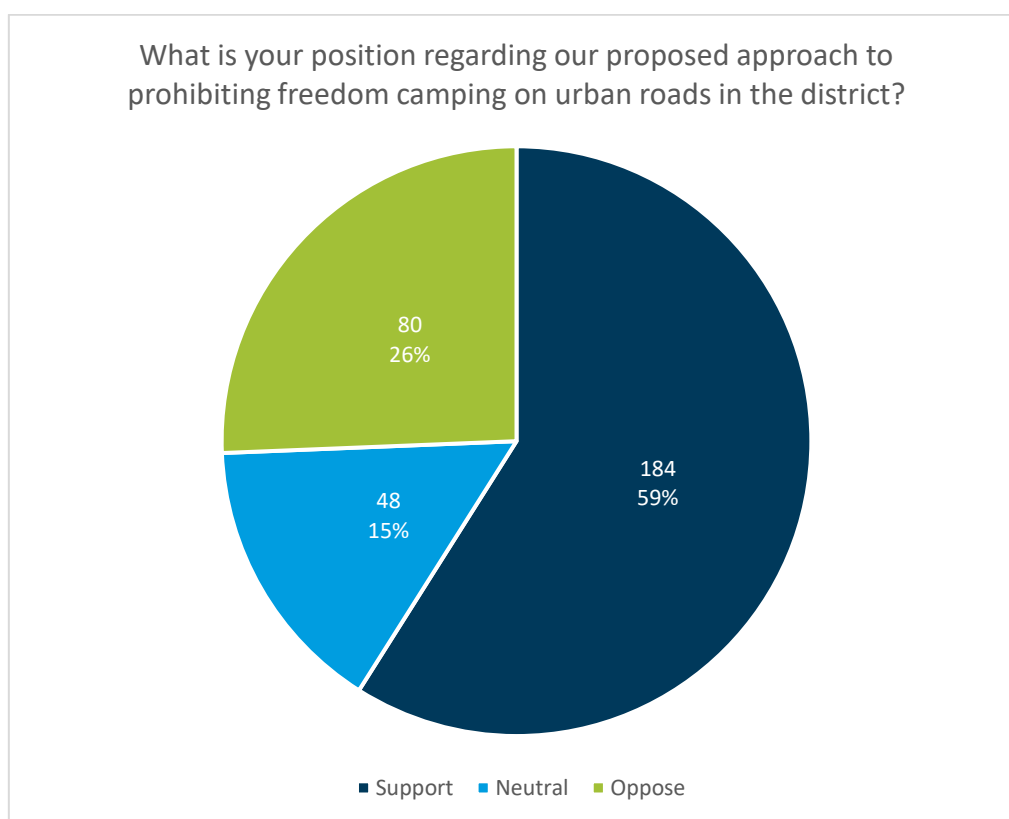


Figure 6 Submitters' position on urban roads approach of the draft bylaw

39. **Figure 6** illustrates that the majority of respondents support the urban roads approach of the draft bylaw. Of those who opposed the urban roads approach 29 respondents opposition was made on the basis that the draft bylaw was too restrictive, and 41 respondents opposition was made on the basis that the draft bylaw was too permissive. 184 respondents supported the approach and 48 recorded a neutral position.

40. Feedback from those respondents who supported the urban roads approach include:

- Enhance monitoring and enforcement to achieve desired outcomes for urban roads.
- Restrict freedom camping to designated sites, preferably away from residential areas and condensed into smaller numbers.
- Limit camping duration in specific non-residential areas and prohibit camping near homes and within certain urban proximities.
- Encourage camping in established campgrounds, supermarket car parks, and collaborate with DoC to reopen closed sites.

41. Feedback from those respondents who opposed the urban roads approach and who also considered the bylaw was too restrictive includes:

- a. Freedom camping should be permitted on urban roads, unused urban parks, and certain urban areas, treating certified self-contained vehicles like any other legally parked vehicle.
 - b. Some locations may allow freedom camping only after 5pm.
 - c. Additional campgrounds should be established on the rural-urban boundary.
 - d. Freedom campers should be able to park on urban roads with the permission of the relevant homeowner (i.e. Waitaki Freedom Camping Bylaw)
42. Feedback from those respondents who opposed the urban roads approach and who also considered the bylaw was too permissive includes:
- a. Restrict urban camping to serviced campgrounds or designated areas near public toilets.
 - b. Prohibit freedom camping on urban roads/areas entirely.
43. Feedback from those respondents who expressed a neutral position on the urban roads approach includes:
- a. Potential impacts on homelessness and night workers due to occupation of overnight parking spaces.
 - b. Concerns that not all urban roads are identified as prohibited.
 - c. The approach unnecessarily excludes some low impact areas for freedom camping.
 - d. Recommendations for site-specific assessments to determine suitable camping areas and restrict camping to locations with appropriate facilities, such as toilets.
 - e. No camping should be allowed in town centres to preserve access for workers and prevent disruptions.
 - f. Emphasis on the need for effective education, monitoring, and enforcement, with urban roads being easier for Council to oversee.
44. Officer recommendations and rationale
- a. **Urban roads monitoring and enforcement** - Submissions raising concerns with respect to monitoring and enforcement, the location of freedom camping activities in proximity to residential properties, residential areas, commercial campgrounds, and seeking action to restrict freedom camping to commercial campgrounds have been discussed above and are not repeated in this section.
 - b. **More restrictions for urban roads** - It is assumed that submitters requesting a more restrictive approach with respect to urban areas are generally seeking that any specific restricted freedom camping areas proposed within urban areas be removed from the

draft bylaw, as freedom camping is otherwise prohibited urban roads. Submissions relating to specific restricted areas area addressed later in this report.

- c. **Less restrictions for urban roads** - Some submitters sought a less restrictive approach for freedom camping on urban roads such as where roads are located away from residential properties, from 5.00 pm onwards, at locations on the rural-urban boundary or to remove all restrictions from urban roads. The proposed urban road approach has been informed by TTs technical assessment which recommends prohibiting freedom camping on urban roads to protect access and health and safety for freedom campers and other users of urban roads. No alternative expert technical evidence has been provided by submitters to support a more enabling approach for freedom camping on urban roads. As such, officers do not recommend any amendments to the draft bylaw with respect to urban roads.
- d. **Urban road day vs. night use.** A submitter sought to make comparisons to freedom camping vehicles parked for the activity of freedom camping vs being parked lawfully during the day. Officers do not consider that this matter is a suitable comparison on the basis that the latter would not be considered freedom camping, and neither the Act nor freedom camping bylaws have scope to control the parking of vehicles that are not being used for the activity of freedom camping.
- e. **Urban road freedom camping with permission of homeowner** - Officers do not recommend amending the draft bylaw to permit freedom camping on urban roads subject to the permission of a homeowner. This would be outside the scope of the Act and freedom camping bylaws as it would be considering adverse impacts on private residential properties. This would also be impractical to administer given the quantum of freedom campers who visit the district, and would amount to assigning indiscriminate private interests over public spaces (i.e. urban roads).
- f. Officers acknowledge that the majority of submitters who commented on the urban roads approach support prohibiting freedom camping on urban roads.

Specific restricted areas

45. Council's online survey invited respondents to provide their position on each of the 15 specific restricted areas. **Table 3** below illustrates the distribution of positions and themes provided for each location (including emailed submissions where applicable).

Table 3 Submitter positions and key themes/relief on proposed specific restricted freedom camping areas

Location	Details	
	Position	Key themes/relief
Boundary Street carpark, Queenstown	Support - 0	NA
	Neutral - 2	- More permissive arrival and departure times - 3 night stay requested

Location	Details	
		<ul style="list-style-type: none"> - Additional restricted areas should be provided - Should not impact day and evening use for others
	Oppose - 13	<ul style="list-style-type: none"> - Effective monitoring and enforcement - Congestion and lack of parking for other users - Waste - Impacts on Horne Creek - Proximity to residential properties - Prohibit freedom camping in urban car parks - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Remove this restricted area from the draft bylaw - Prohibit freedom camping in the district
Gorge Road carpark, Queenstown	Position	Key themes/relief
	Support - 0	NA
	Neutral - 1	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 8	<ul style="list-style-type: none"> - Effective monitoring and enforcement - Congestion and lack of parking for other users - Waste - Remove and add the parking spaces to the Queenstown Event Centre - Prohibit freedom camping in urban car parks - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Industrial Place carpark, Queenstown	Position	Key themes/relief
	Support - 0	NA
	Neutral - 2	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 8	<ul style="list-style-type: none"> - Unsafe location - Too far from Queenstown town centre - Effective monitoring and enforcement - Congestion and lack of parking for other users - Waste and toileting issues - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Lakeview carpark, Queenstown	Position	Key themes/relief
	Support - 0	NA
	Neutral - 2	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided

Location	Details	
		<ul style="list-style-type: none"> - Congestion and lack of parking for other users
	Oppose - 9	<ul style="list-style-type: none"> - Proximity to an existing campsite - Effective monitoring and enforcement - Congestion and lack of parking for other users - Waste - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Queenstown Event Centre carpark, Frankton	Position	Key themes/relief
	Support - 1	<ul style="list-style-type: none"> - Sensible location with facilities (i.e. showers)
	Neutral - 4	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided - Additional spaces should be provided at this location - Effective monitoring and enforcement - Prohibit freedom camping at Gibbston Highway, Howards Drive Lake Hayes, Gorge Road and add the parking spaces to the Queenstown Event Centre - Use Queenstown Event Centre members stickers for cars to assist compliance - Campers need to depart before gym and pool opening hours - Prohibit people cooking outside of their car
	Oppose - 7	<ul style="list-style-type: none"> - Effective monitoring and enforcement - Congestion and lack of parking for other users (i.e. Saturday mornings when there is school sport on) - Waste - Freedom campers using facilities without paying - Queenstown Event Centre carpark should only for those attending the centre - Undesirable behaviour of campers - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Gray Street carpark, Frankton	Position	Key themes/relief
	Support - 1	<ul style="list-style-type: none"> - An earlier departure time for commuters - Ensure availability for commuters
	Neutral - 2	<ul style="list-style-type: none"> - Congestion and lack of parking for other users - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 7	<ul style="list-style-type: none"> - Effective monitoring and enforcement - Congestion and lack of parking for other users - Waste

Location	Details	
		<ul style="list-style-type: none"> - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Howards Drive Carpark, Lake Hayes	Position	Key themes/relief
	Support - 2	<ul style="list-style-type: none"> - Requires a toilet - Well overlooked for safety - Suitable location with correct restrictions
	Neutral - 1	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 8	<ul style="list-style-type: none"> - Effective monitoring and enforcement - Congestion and lack of parking for other users - Waste - Number of spaces is not enforceable - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Glenorchy Domain carpark, Glenorchy	Position	Key themes/relief
	Support - 0	NA
	Neutral - 2	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 10	<ul style="list-style-type: none"> - Proximity and potential impacts on Lake Whakatipu - Insufficient toileting infrastructure - Effective monitoring and enforcement - Lack of parking for other users - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Gibbston Highway/State Highway 6 carpark (NZTA land)	Position	Key themes/relief
	Support - 2	<ul style="list-style-type: none"> - Requires a toilet
	Neutral - 1	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 15	<ul style="list-style-type: none"> - The parking spaces at this location should be removed and added to the Queenstown Events Centre - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district - Impacts access and manoeuvring area for school bus - Effective monitoring and enforcement - Capacity for more than 2 vehicles
	Position	Key themes/relief

Location	Details	
Kingston Road/State Highway 6 carpark (NZTA land)	Support - 3	<ul style="list-style-type: none"> - Have NZTA sign the speed limit to address transport health and safety issues - Let people camp before 6pm and stay after 8am- especially in the non-summer months - Needs investment to manage the volume of campers
	Neutral - 2	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided - Impacts on Kingston commercial campground - Landscaping to ensure only 50 vans can park in the area - Waste and rubbish bins require emptying twice daily - Effective monitoring and enforcement - Signage at Kingston to communicate that freedom camping is prohibited in the urban area
	Oppose - 5	<ul style="list-style-type: none"> - Impacts on Kingston urban area - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Prohibit freedom camping in the district
Flint Street carpark, Arrowtown	Position	Key themes/relief
	Support - 1	<ul style="list-style-type: none"> - Appropriate facilities are available - Times of operation are appropriate - Requires effective monitoring and enforcement - Current \$400 fine is insufficient
	Neutral - 2	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 14	<ul style="list-style-type: none"> - Congestion causing safety concerns, and lack of parking for other users - Effective monitoring and enforcement - Use existing campgrounds - Impacts on Arrowtown Historic Zone, local residents and businesses - Three spaces would be more appropriate - Too remote from other larger urban carparks - Shorten the time period available for camping ie 7.00 pm to 7.00 am - Lack of consistency in arrival/departure times across the district - Proximity to existing campground and residential areas - Use existing campgrounds or QLDC's freedom camping sites outside urban areas - Alternatives would make more sense such as the lower Ramshaw Lane carpark or existing bus parks (next to Flint Street)

Location	Details	
		<ul style="list-style-type: none"> - Undesirable behaviour of campers - Waste and toileting issues - Oppose freedom camping in urban areas - Prohibit freedom camping in the district
Wānaka Recreation Centre carpark, Wānaka	Position	Key themes/relief
	Support - 6	<ul style="list-style-type: none"> - Appropriate facilities available - Suitable space available - Not in a residential area - Requires clear signage and communication - Effective monitoring and enforcement
	Neutral - 4	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided - Impacts users of Wanaka Recreation Centre - A fee should be paid by campers
	Oppose - 40	<ul style="list-style-type: none"> - Impacts availability of facilities for sport, recreation, community use and parking for other users - Freedom camping should be restricted to Red Bridge or commercial campgrounds - Create a different space at Three Parks - Waste and toileting - Effective monitoring and enforcement - Risk of antisocial issues - Proximity to the primary school - Oppose freedom camping in urban areas - Prohibit freedom camping in the district
Beacon Point Road carpark, Wānaka	Position	Key themes/relief
	Support - 2	<ul style="list-style-type: none"> - Establish facilities (i.e. a toilet and cold shower)
	Neutral - 2	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 72	<ul style="list-style-type: none"> - Freedom camping should be restricted to Red Bridge or commercial campgrounds - Proximity to residential properties - Waste and toileting - Impacts on Lake Wānaka - Lack of parking for other recreational users - Effective monitoring and enforcement - Proximity to residential properties - Amenity impacts on this natural location - Oppose freedom camping in urban areas - Fire risk - Prohibit freedom camping in the district

Location	Details	
		<ul style="list-style-type: none"> - Significant extra traffic on the road and congestion during peak times
Allenby Place carpark, Wānaka	Position	- Key themes/relief
	Support - 1	NA
	Neutral - 2	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided
	Oppose - 46	<ul style="list-style-type: none"> - Freedom camping should be restricted to Red Bridge or commercial campgrounds - Proximity to residential properties including noise impacts - Impacts of freedom camping on Allenby Place - Impacts parking for other recreational users of Mt Iron walking tracks and nearby playground - Security and crime issues - Waste and toileting - Effective monitoring and enforcement - Fire risk area - Oppose freedom camping in urban areas - Prohibit freedom camping in the district - Congestion during peak times
Camp Hill Road carpark, Hāwea	Position	Key themes/relief
	Support - 3	<ul style="list-style-type: none"> - Draws campers away from the Lake Hāwea foreshore
	Neutral - 3	<ul style="list-style-type: none"> - More permissive arrival and departure times - 3 night stay requested - Additional restricted areas should be provided - Impacts for kayak and users of The Wave
	Oppose - 60	<ul style="list-style-type: none"> - Freedom camping should be restricted to Red Bridge, Wānaka Recreation Centre or commercial campgrounds - Waste and toileting - Inadequate toilets, freshwater and waste facilities - Impacts parking for other recreational users, domestic and international visitors - Significant use of 'The Wave' by kayakers and surfers - Concentration of freedom campers in a small number of locations - Inadequate layout to safely accommodate overnight camping - Overcrowding, user conflict, and permanent damage to the site - Prohibit freedom camping at Camphill Bridge - Visual clutter and loss of open space character - Effective education, monitoring and enforcement

Location	Details
	<ul style="list-style-type: none"> - Space needed to drop off rafts, kayaks, and recreational groups - Transport safety risk due to one lane bridge, other road users, and users of The Wave - Unsafe having campers close to people getting changed after using The Wave - Fire risk - 15 spaces is too many for this location, no more than 5 should be provided - Impacts on the Hāwea River - Oppose freedom camping in urban areas - Prohibit freedom camping in the district - Overflow camping to the Hāwea River true right carpark

46. **Table 3** illustrates that a range of views were presented in response to the specific restricted areas presented in the draft bylaw. It shows that many respondents generally oppose the specific restricted areas or requested further changes to the way freedom camping is managed at these locations.

47. Officer recommendations and rationale:

- a. **Out of scope matters** - Several submissions raised concerns with respect to impacts on residential and commercial properties, waste and toileting, use of commercial campgrounds, monitoring, education and enforcement, QLDC charging for freedom camping, or other types of impacts outside of a specific restricted area. These matters have been addressed elsewhere in this report and/or are outside the scope of section 11 of the Act. Information and recommendations on these matters are not repeated here.
- b. **Hours of arrival and departure** - A number of submitters raised concerns with respect to the nature and scale of freedom camping in specific restricted areas, particularly regarding adverse impacts on the availability of parking for other users and potential congestion in car parking areas. In addition, submitters have requested further amendments to the hours of arrival/departure in carparks to better reflect access needs for other users (i.e. make arrival/departure hours more restrictive) or to make them more flexible for freedom camping use (i.e. make arrival/departure hours less restrictive). Officers consider that it is useful to consider the different 'types' of carparking areas identified as specific restricted locations. These carparking areas tend to be 'commuter', 'non-commuter' or 'recreation/events centre' type carparks, referring to their use for people parking their vehicles for arrival/departure associated with business working hours, or specific association with QLDC managed events/gym/pool facilities.

Some submitters are concerned that the hours of arrival and departure are too onerous for freedom campers and should be made less restrictive or removed altogether. Officers acknowledge that the recommended hours do not align with typical commercial

accommodation hours of arrival and departure and that these may be inconvenient for freedom campers. However, the subject locations are not commercial accommodation sites and the Act requires QLDC to protect access for all users to the area. Implementation of the draft bylaw would require freedom campers wishing to stay in the area to move their vehicle in the morning to comply with day use provisions for each restricted area.

Given that any freedom camping parking spaces would be available to any other user outside of the specified arrival and departure times, and that the majority of spaces at each location would not be available for freedom camping during any time, the recommended amendments are considered to achieve an appropriate balance between protecting access for non-freedom camping users (i.e. recreational and commuters), while also enabling space for freedom camping.

The draft bylaw did not propose any hours of arrival or departure for the Kingston and Camp Hill Bridge sites on the basis that these locations are neither commuter, non-commuter or recreational/events centre car parks and on account of their location and size. However, on balance, as an outcome of feedback received, officers recommend including hours of arrival or departure for both sites to improve monitoring and compliance, thereby protecting access for other users. On the other hand, some submitters have requested that sites be provided that have no arrival and departure restrictions. To balance these competing requests, officers recommend that the Kingston and Camp Hill Bridge sites are suitable for later departures and earlier arrivals. It should also be noted that campers are not required to move their vehicles from a space during the two-night stay at these locations due to their location and size. The recommended hours of arrival and departure do not impact this, and amendments are recommended to the related conditions at these locations to make this clear.

Table 4 below includes the hours of arrival and departure proposed in the draft bylaw and recommended amendments. The draft bylaw contained some variability for similar types of carparks. It is considered that similar types of carpark areas should have the same hours of arrival/departure. This would improve understanding of the provisions for all users and may improve bylaw compliance. Three sets of timings are recommended:

- Commuter and non-commuter type carparks are recommended to require arrival not before 6 pm and departure before 8 am. This is considered appropriate for a typical workday aligns with these hours. Non-commuter carparks are recommended to require the same arrival and departure times so that there is greater consistency between the specific proposed restricted areas.
- No changes are recommended to the arrival and departure hours for recreation/events centre carparks (arrival not before 8 pm and departure before 7 am). This is considered appropriate noting that the recreation/events centres general opening hours are between 6 am and 9 pm which would allow freedom campers to use paid facilities at these locations an hour either side of leaving/arriving.

- Arrival and departure hours are recommended for the Kingston and Camp Hill Bridge sites requiring arrival not before 5.00pm and departure before 10.00am.

Table 4 Different ‘types’ of carparking areas identified as specific restricted locations

Location	Type	Draft bylaw arrival/departure hrs	Recommended amendments (bolded)
Whakatipu Ward			
Boundary Street carpark, Queenstown	Commuter	Arrival – not before 6.00pm Departure – before 8.00am	No amendments
Industrial Place carpark Queenstown	Commuter	Arrival – not before 6.00pm Departure – before 7.00am	Arrival – not before 6.00pm Departure – before 8.00 am
Lakeview carpark, Queenstown	Commuter	Arrival – not before 6.00pm Departure – before 8.00 am	No amendments
Gray Street carpark, Frankton	Commuter	Arrival – not before 6.00am Departure – before 7.00 am	Arrival – not before 6.00pm Departure – before 8 am
Gorge Road carpark, Queenstown	Non-commuter	Arrival – not before 6.00pm Departure – before 7.00 am	Arrival – not before 6.00pm Departure – before 8.00 am
Howards Drive Carpark, Lake Hayes	Non-commuter	Arrival – not before 6.00pm Departure – before 7.00 am	Arrival – not before 6.00pm Departure – before 8.00 am
Glenorchy Domain carpark, Glenorchy	Non-commuter	Arrival – not before 6.00pm Departure – before 7.00 am	Arrival – not before 6.00pm Departure – before 8.00 am
Gibbston Highway/State Highway 6 carpark (NZTA land)	Non-commuter	Arrival – not before 6.00pm Departure – before 8.00 am	No amendments

Location	Type	Draft bylaw arrival/departure hrs	Recommended amendments (bolded)
Kingston Road/State Highway 6 carpark (NZTA land)	Non-commuter	NA	Arrival – not before 5.00pm Departure – before 10.00am
Queenstown Event Centre carpark, Frankton	Recreation/ Events centre	Arrival – not before 8.00pm Departure – before 7.00am	No amendments
Arrowtown-Kawarau Ward			
Flint Street carpark, Arrowtown	Commuter	Arrival – not before 6.00pm Departure – before 8.00 am	No amendments
Wānaka Upper Clutha Ward			
Beacon Point Road carpark, Wānaka	Non-commuter	Arrival – not before 6.00pm Departure – before 8.00 am	No amendments
Allenby Place carpark, Wānaka	Non-commuter	Arrival – not before 6.00pm Departure – before 8.00 am	No amendments
Camp Hill Road carpark, Hāwea	Non-commuter	NA	Arrival – not before 5.00pm Departure – before 10.00am
Wānaka Recreation Centre carpark, Wānaka	Recreation/ Events centre	Arrival – not before 8.00pm Departure – before 7.00am	No amendments

- c. **Camp Hill Bridge** - With respect to the Camp Hill Bridge site, a number of submitters opposed providing for freedom camping at this location due to access, health and safety and area related adverse impacts. In particular, submitters note that the carpark is important to facilitate access to 'The Wave' and surrounding trails. Submitters emphasised the need for additional space in the carpark for loading and unloading vessels used on this part of the Hāwea River. These access related concerns are noted, however, it is not clear how much space is required to accommodate typical or peak demand for recreational use in this area, or how frequently/when these demands occur. It is noted that the Camp Hill Bridge site is large, and in the absence of further information, officers consider that the location is more likely than not to be capable of accommodating the

specified number of freedom camping spaces during the identified hours. The Panel may seek to make amendments based on further information from submitters.

Also, in regard to Camp Hill Bridge, a submitter has raised concerns with the absence of a condition in schedule 1A requiring the use of marked vehicle spaces. Officers agree with the submitter that the absence of this condition is likely to create ambiguity for campers, other users and impact effective monitoring and enforcement. As such, officers recommend including a condition for the Camp Hill site restricting freedom camping only to marked vehicle parking spaces. The addition of this condition makes other wording for this site restricting the number of vehicles superfluous and it is recommended that this wording is deleted.

- d. **Access issues during events** - Further amendments are recommended later in this report with respect to Part 3 of the draft bylaw that address submitters concerns with respect to access for recreational users during events at the events centres and other carparks popular for recreational events.
- e. **Gibbston Highway** - With respect to the Gibbston Highway site, submitters have raised concerns in regard to access for school buses. Officers understand that the Ministry of Education school bus route does stop in the area of this site²², however it is not clear precisely where the school bus stops or manoeuvres. Submitters have recommended that freedom camping at this location be prohibited or the arrival and departure hours be amended to protect access for the school bus and other users. It is noted that this site is NZTA land. NZTAs submission does not request any amendments with respect to this site. Based on available information officers do not recommend any amendments at this time. The Panel may wish to address this matter in response to further information from submitters.
- f. **Allenby Place, Beacon Point and Howards Drive** The restricted sites at Allenby Place, Beacon Point and Howards Drive are somewhat different to the commuter and recreation/events centre carparks. They may be used by commuters (i.e. to connect to active travel routes), but given their location and size, they are more likely to be used by recreational users. Submitters have raised concerns with respect to the adverse impacts of freedom camping at these locations for access to other users, but also in regard to health and safety and impacts on the values of the area. Officers acknowledge that these carparks may be used by a range of recreational users and as such recommend amending the hours of arrival and departure to account for morning and evening recreational users so that campers cannot arrive before 8.00apm and must depart before 7.00am. This aligns with commuter car park use and so improves consistency in hours across the range of specific restricted areas.
- g. **Flint Street** - A submitter has requested that the name of the Flint Street restricted freedom camping area in Arrowtown be renamed to Hansen Road to match onsite

²² https://www.wakatipu.school.nz/uploads/5/6/8/4/56848653/bus_routes_moe_from_january_2025.pdf

signage. Officers agree that this is appropriate and recommend that the draft bylaw be amended to reflect this.

- h. **Unsafe or antisocial behaviour** - Officers acknowledge concerns relating to possible unsafe or antisocial behaviour relating at freedom camping sites. While this is within scope of section 11 of the Act, officers have not been provided requisite evidence of unsafe or antisocial behaviour from freedom camping in the district from local police or other data sources.

Temporary changes to restricted freedom camping areas

- 48. A submitter has raised concerns with regard to the operation of Part 3 that enables the Chief Executive of the Council to temporarily prohibit, restrict or change the conditions in any restricted freedom camping area or part of any local authority area. In particular, the submitter seeks clarity on the meaning of 'temporary', and more specific processes related to criteria for reopening affected areas.
- 49. Other submitters raised concerns with respect to the potential impacts of freedom camping on recreational or other types of events.
- 50. Another submitter requested that powers under Part 3 of the bylaw should be broadened with specific triggers, including excessive volumes of campers, visible degradation, or complaints, to enable rapid response, including the provision of long-term use of temporary bans in overused area.
- 51. Officers agree that the draft bylaw could benefit from amendments to provide further specificity of the provisions in order to improve transparency concerning the anticipated impacts to freedom camping opportunities in the district around Part 3, and to improve administration of any such processes.
- 52. Officers do not recommend further changes to provide for long term use of temporary changes to restricted freedom camping areas as this would be inconsistent with the intent of Part 3. This would also be likely to require material amendments to the bylaw and therefore trigger additional consultation with the community. This avenue is available to QLDC if in monitoring the effectiveness and efficiency of the bylaw, it considers that material amendments are needed to the overall approach for regulating the adverse impacts of freedom camping.
- 53. The amendments recommend by officers to Part 3 comprise:
 - Adding a new clause to Part 4 to provide an opportunity for any person to apply to the Chief Executive of the Council to temporarily prohibit, restrict or change the conditions in any restricted or prohibited freedom camping area,
 - Including provisions in the new clause similar to those set out in Part 4, clause 10, in order to provide a framework for administering and deciding applications, including the setting of fees and reviewing decisions,

- Requiring Council to define the area effected by the decision and give public notice of its decision which also includes a timeframe and/or criteria to be met for the temporary prohibition or restriction to be lifted, and
- Including an explanatory note to provide context in regard to a ‘temporary changes’ and how the setting of a fee does not constitute a fee for the activity of freedom camping.
- Amendments to clause 9 to specify that decisions should take into account section 11(2)(a) of the Act, to require Council’s notice of any decision to also define the area effected by the decision and give public notice of its decision which also includes a timeframe and/or criteria to be met for the temporary prohibition or restriction to be lifted, and to include a clause making it clear that a person must not freedom camp in a local authority area (or part of a local authority area) in contravention with a decision made under the clause.
- Amendments to clause 10 to specify that decisions should take into account section 11(2)(a) of the Act, and to include an explanatory note to provide context that the setting of a fee does not constitute a fee for the activity of freedom camping.

Discretionary consent to freedom camp

54. A submitter has raised concerns with regard to the discretion in clause 10.8 for QLDC’s Chief Executive to set a fee for processing applications to temporarily freedom camp in an area otherwise prohibited or restricted. The submitter is concerned any such fee may be disproportionate or may constitute a fee for camping contrary to Clause 5(3)(b) of the Act. The setting fees or charges is provided for under section 150 of the Local Government Act 2002 for a certificate, authority, approval, permit, or consent from, or inspection by, the local authority in respect of a matter provided for under any enactment, provided that enactment does not prevent the charging of a fee. Officers disagree that the setting of a fee to process an application constitutes a fee for the activity of freedom camping. The purpose of this fee is to recover costs with respect to the administration and assessment processes needed to determine the adverse impacts under section 11 of the Act of an event.

Other matters

55. Some submitters provided feedback that the Luggate Red Bridge freedom camping area (administered under the Reserves Act 1977) is overcrowded and poorly managed. This feedback is acknowledged, and officers are investigating improvements to this site to better manage visitor numbers and behaviour. A separate report is intended to be presented to Council on 9 October around the conditions sitting under the Ministerial delegation for this area, as this is outside the scope of the draft bylaw.

56. A submitter has requested that provision 7.2 be amended to more accurately reflect the approach taken in the draft bylaw and the intent of the Act such that *'no person may freedom camp in any local authority in Schedule 2 of this Bylaw that is marked prohibited'*. Officers recommend that this amendment be made to the draft bylaw.
57. NZTA has generally supported the draft bylaw but is concerned that it only declares limited parts of the state highway network as local authority area. NZTA consider that this may result in large sections of the state highway not being subject to the draft bylaw, resulting in QLDC not being able to regulate the adverse impacts of freedom camping. The draft bylaw does not identify every stretch of the state highway network as a restricted or prohibited area. While the Act provides for freedom camping bylaws to identify NZTA land as a 'local authority area' for the purpose of regulating freedom camping, QLDC has not elected to include all of the large and isolated NZTA road network in the draft bylaw. Rather, a small number of 'hotspot' locations have been addressed to promote effective and efficient management.
58. There was specific submitter feedback requesting that the sections of Stanley and Shotover streets in the Queenstown town centre that is part of NZTA state highway 6 be considered local authority area and prohibited for freedom camping. Officers consider that this is within scope of the statement of proposal and agree that if NZTA are amenable, that the draft bylaw be amended so that it is prohibited to freedom camping because it is an urban area. The portions of these streets are distinct from other NZTA roads in urban areas due to the extent of parking, and that there is an MOU between QLDC and NZTA regarding parking. Officers do not recommend identifying all parts of the state highway as local authority area and consider this would be out of scope at this time (i.e. QLDC may have to reconsult if Council decides it wants to identify any material additions of the state highway as restricted or prohibited areas).
59. TT have advised that Appendix E (site-specific assessment spreadsheets) of their technical assessment contains some minor errors. TT advise that the subject amendments do not change their final recommendations. An updated copy of Appendix E is included as Attachment E.

Summary

60. The feedback and changes requested by submitters have been canvassed in this report, and full copies of the submissions received are available for the Panel's consideration in **Attachment C**. This report provides advice to the Panel on recommended amendments to the draft bylaw on the basis of submissions received. Recommended amendments are shown in **Attachment D**.
61. Council can make changes to the draft bylaw as an outcome of formal consultation, in response to submissions, as long these changes are within the scope of the statement of proposal. Material changes to the draft bylaw proposed after consultation that come about through the submissions process but are not contemplated in the statement of proposal may require Council to reconsult.

Options and analysis

62. The Panel is being asked to receive submissions, hear submitters that wish to speak, and recommend to Council a final form of the draft bylaw for adoption.
63. Officers are proposing to present a final draft bylaw to Council for it to consider and adopt on 9 October 2025. The officer report to Council will address the requirements set out in section 77 of the LGA that local authorities must satisfy through its bylaw decision-making process, and will identify and assess the reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.
64. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.
65. **Option 1:** That the Panel receive all submissions and recommend that Council adopt the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 with no changes to the draft bylaw that went out for consultation.

Advantages	Disadvantages
<ul style="list-style-type: none"> The Council would have fulfilled its obligations under the LGA to consult on the draft bylaw and to hear submissions received. If adopted by Council, the draft bylaw that went out for consultation provides a sound basis for freedom camping in the district. 	<ul style="list-style-type: none"> The draft bylaw would not reflect the wide range of community views contained in the submissions. The important experience and knowledge of the district's community as noted in submissions and acknowledged in this report will not be incorporated into the draft bylaw.

66. **Option 2:** That the Panel receive all submissions and recommend that Council adopt the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 with changes as an outcome of the consultation process.

Advantages	Disadvantages
<ul style="list-style-type: none"> The version of the bylaw presented to Council for adoption would actively respond to a range of information received in submissions. The important experience and knowledge of the district's community as noted in submissions and acknowledged in this report will be incorporated into the draft bylaw. Council would have fulfilled its obligations under the LGA to consult on the draft bylaw and to hear submissions received. 	<ul style="list-style-type: none"> The recommended amendments to the draft bylaw may not align or address all community views received through submissions.

67. **Option 3:** That the hearings panel receive all submissions and recommend that Council not adopt the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025.

Advantages	Disadvantages
<ul style="list-style-type: none"> The Council would have fulfilled its obligations under the LGA to consult on the draft bylaw and to hear submissions received. The absence of a freedom camping bylaw for the district would be welcomed by submitters who sought a more permissive approach for freedom camping as this would mean the default position in the Act would apply (which is more enabling). 	<ul style="list-style-type: none"> Council could still choose to adopt the draft bylaw as the Panel's delegation is limited to making a recommendation to Council. If Council chooses to not to adopt a draft bylaw, Council will not have any ability to efficiently and effectively regulate freedom camping across all locations in the district managed or controlled by QLDC. Unregulated freedom camping will likely result in adverse impacts on the values/characteristics of the area, access and health/safety. Council will not be appropriately responding to community expectations with regard to efficient and effective management of the adverse impacts from freedom camping.

Advantages	Disadvantages
	<ul style="list-style-type: none"> Officers may need to restart the bylaw development process resulting in cost and time implications.

68. This report recommends that the Panel proceed with **Option 2** for addressing the matter and receive the written submissions and hear the submitters who wish to be heard on the draft bylaw.

Option 2 would enable Council to:

- Appropriately regulate freedom camping in the district with respect to adverse impacts on the values/characteristics of the area, access and health/safety on land controlled and managed by QLDC (and select NZTA sites),
- proactively respond to the experience and knowledge of the district's community/submitters,
- comply with the special consultative procedure requirements in the LGA.

Next steps

69. The Panel is being asked to receive written and oral submissions on 26-28 August 2025 and recommend to Council a final form of the draft bylaw.

70. Officers will then present the draft bylaw to Council for deliberation and adoption at its meeting on 9 October 2025. If adopted, the bylaw will come into effect at a date to be determined following this meeting, prior to the summer.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

71. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy 2024. The issue of freedom camping (and destination management generally), is important to the district's community. Any new regulation which enables, restricts or prohibits different types of visitor activity and its associated adverse impacts will be of high community interest. The assessment of the factors in the Significance and Engagement Policy 2024 is as follows:

- Consistency with existing policy and strategy – There is no inconsistency with existing policy and strategy.

- b. The impact on the Council's capability and capacity – The specific decision before the Panel (to recommend to Council to adopt a final form of the bylaw) would not create any new capacity or capability impacts that are not already funded. This report is not requesting adoption of a draft bylaw for implementation, and the Panel does not have authority to make such a determination. Until a bylaw has been adopted, QLDC will continue its current practice of educating, monitoring and enforcing against freedom campers that breach the Act, the Traffic and Parking Bylaw 2018 and/or the Reserves Act 1977. Depending on the outcome of next steps, a later decision to adopt a freedom camping bylaw may have a range of implications for QLDC's capability and capacity with respect to implementing, monitoring and enforcing a bylaw that applies specific restrictions and prohibitions across a wide area of land that is controlled or managed by QLDC.
- c. Climate change – There is no inconsistency with Council's Climate & Biodiversity Plan, including its action plan and outcomes.
- d. Mana whenua (Kāi Tahu) - Officers and technical advisors have engaged directly with mana whenua representatives during the process of developing a draft bylaw.
- e. Strategic assets – This matter does not relate to the sale or transfer or sale of shareholding of any strategic assets.
- f. Council controlled organisations (CCOs) or council-controlled trading organisations (CCTOs) – This matter does not relate to any CCOs or CCTOs. Queenstown Airport Corporation is a CCO. Although involved in tourism, it is not directly related to freedom camping activity but may make a submission during the consultation period.

72. Many businesses in the district rely on tourism and therefore have an interest how different visitor groups are regulated (including freedom campers). The persons who are affected by or interested in this matter are Kāi Tahu, Waka Kotahi NZTA, LINZ, DoC, the NZMCA, Destination Queenstown, Lake Wānaka Tourism, recreational campers, the general public, residents, ratepayers and visitors to the district in general. Council has engaged in conversations with a range of key stakeholders throughout the bylaw development process. Any person and organisation has had the opportunity to provide a submission on the draft bylaw during the consultation period.

Māori Consultation | Iwi Rūnaka

73. Kāi Tahu have been engaged throughout the process of developing a draft bylaw. It is acknowledged that mana whenua have a high interest in biodiversity and water management. The bylaw development process has considered these matters with respect to the values or attributes of QLDC controlled or managed land (and select NZTA sites) with respect to protecting the area, access and health and safety.

74. Te Ao Marama and Aukaha were advised of consultation on the draft bylaw, and officers invited Iwi representatives to make a submission. Te Ao Marama and Aukaha did not make a submission.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

75. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10026 Ineffective enforcement within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.

76. The approval of the recommended option will allow Council to implement additional controls for this risk. This will be achieved by the Panel recommending a final form of the draft bylaw for adoption by Council that restricts or prohibits freedom camping on QLDC controlled or managed land (and select NZTA sites) in order to protect the area, access and health and safety.

Financial Implications | Kā Riteka ā-Pūtea

77. The costs associated with developing the draft bylaw including staff time and advertising will be met within current Council budgets. The recommended option does not propose any changes to Council operations that would require additional funding, but as noted above, if Council adopts a bylaw, there may be a range of funding implications with respect to implementing, monitoring and enforcement.

78. Review of the 2021 bylaw was planned to commence in 2026, therefore the quashing order from the High Court has brought forward this bylaw development process.

79. Provision for bylaw enforcement and compliance, and freedom camping patrols, is identified as part of QLDC's regulatory functions and services in the Long-Term Plan²³. The private benefit element of bylaw and enforcement activities (assessed at 40%) will be funded from user charges, with the public element funded from the proposed district-wide targeted capital value based regulatory rate and the governance and regulatory charge²⁴.

80. The Panel making recommendations to Council to adopt a final form of the draft bylaw in itself would not create any new capacity or capability impacts that are not already funded. A subsequent decision by Council to adopt a freedom camping bylaw may have a range of implications for Council's capability and capacity with respect to implementing, monitoring and enforcing a bylaw that applies specific restrictions and prohibitions across a wide area of land that is controlled or managed by QLDC (and select NZTA sites).

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

81. The following Council policies, strategies and bylaws were considered:

- a. Our Strategic Framework and Investment Priorities

²³ QLDC Long Term Plan 2024–2034, page 104

²⁴ QLDC Long Term Plan 2024–2034, page 320

- b. Significance and Engagement Policy 2021
- c. Responsible Camping Strategy 2022-2027
- d. Enforcement Strategy and Prosecution Policy 2021
- e. Parks and Open Spaces Strategy 2021
- f. Future Parks and Reserves Provisions Plan 2021
- g. The Queenstown Lakes Spatial Plan 2021
- h. Travel to a thriving future - A Regenerative Tourism Plan
- i. QLDC Disability Policy 2018.

82. The recommended option is consistent with the principles set out in the above-mentioned named policies.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

83. Section 11 of the Act enables Council to make a bylaw to regulate freedom camping by defining areas where freedom camping is restricted or prohibited. Before making or reviewing a bylaw, Council needs to satisfy itself of the following:

- a. 11(2)(a) - Council must be satisfied that the bylaw is necessary for one or more of the purposes prescribed, being to protect the area, protect the health and safety of visitors to the area, or to protect access to the area,
- b. 11(2)(b) - Council must determine that a bylaw is the most appropriate way to address the perceived problem in relation to specific areas where regulation or prohibition of freedom camping is being considered, and that any restrictions proposed are a proportionate response to addressing the perceived problem(s),
- c. 11(2)(c) - Council must ensure that the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, and
- d. 10A, 11(3), where NZTA land is to be considered local authority land for the purposes of a freedom camping bylaw, the Chief Executive of NZTA must give their written consent.

84. With respect to a – c above, Council made these determinations with respect to the draft bylaw at their meeting on 26 June 2025.

85. With respect to (d) above, officers have been engaging with NZTA throughout the bylaw development process and will be requesting a final position from the Chief Executive of NZTA ahead of the 9 October 2025 meeting where Council will be asked to adopt a final form of the bylaw.
86. Under the Act, the starting point is that freedom camping in a self-contained motor vehicle (or tents) is permitted on all local authority land unless a bylaw specifically restricts or prohibits it. Freedom camping in non-self-contained vehicles is prohibited unless permitted under a bylaw or other legislation. Officers have identified all land owned or managed by it, to assess areas where there may be a need to restrict or prohibit freedom camping, as outlined in the Act.
87. Using any reserve for permanent or temporary accommodation (camping), including freedom camping is prohibited by default under section 44 of the Reserves Act 1977. There are infringement offences available within the Reserves Act 1977 to enforce this prohibition. The draft bylaw does not include any land classified as reserve which will continue to be managed under section 44 of the Reserves Act 1977.
88. Consultation on the draft bylaw is following the requirements of the special consultative procedure outlined in sections 83 and 86 of the LGA.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

89. Section 10 of the Local Government Act 2002 states the purpose of local government is:
- a. to enable democratic local decision-making and action by, and on behalf of, communities; and
 - b. to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The draft bylaw will deliver on this purpose as it will ensure QLDC is addressing the matters in section 11 of the Act with respect to the adverse impacts of freedom camping in the district.
90. It is considered that the recommendation in this report is appropriate and within the ambit of Section 10 of the Local Government Act 2002, and that the Act enables local authorities to make bylaws to restrict or prohibit freedom camping on land controlled or managed by it.
91. The recommended options:
- Can be implemented through current funding under the Long-Term Plan and Annual Plan;
 - Are consistent with the Council's plans and policies; and
 - Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Draft Freedom Camping Bylaw 2025 Ture ā-Rohe mō te Noho Puni Korehere 2025
B	Statement of proposal
C*	Full submissions pack
D	List of officers' recommended amendments to the draft bylaw
E*	QLDC Freedom Camping Tonkin and Taylor Technical Report (with minor updates)

*These attachments are circulated separately.



Freedom Camping Bylaw 2025 Ture ā-Rohe mō te Noho Puni Korehere 2025

Queenstown Lakes District Council

Date of making: date to be inserted
Commencement: date to be inserted

This bylaw is adopted pursuant to section 11 of the Freedom Camping Act 2011.

Contents

	Page		Page
Part 1 – Preliminary		Part 5 – General provisions	
1 Title and Commencement	2	11 Relationship of Bylaw to Ngai Tahu Claims Settlement Act 1998	8
2 Area within which bylaw applies	2	12 Delegation	8
3 Purpose	2		
4 Declaration that New Zealand Transport Authority (NZTA) land is local authority area	2		
5 Bylaw does not apply to local authority land that is a reserve	2	13 Enforcement	9
6 Interpretation	2		
Part 2 – Controls on freedom camping			
7 Freedom camping is prohibited in certain circumstances	5	14 Offences and penalties	9
8 Freedom camping is restricted in certain circumstances	5	15 Savings	9
Part 3 – Temporary changes to restricted freedom camping areas		Schedule 1A – Restricted freedom camping areas – specific locations	10
9 Council may temporarily prohibit, restrict or change conditions in any restricted freedom camping area	6	Schedule 1B – Restricted freedom camping areas – Rural roads	18
10 Consent to temporarily freedom camp in an area in which freedom camping is otherwise prohibited or restricted	6	Schedule 2 – Prohibited freedom camping areas	20

Part 1 – Preliminary

1 Title and Commencement

- 1.1 This bylaw is the “Queenstown Lakes District Council Freedom Camping Bylaw 2025 Ture ā-Rohe mō te Noho Puni Korehere 2025”.
- 1.2 This bylaw comes into force on date to be inserted

2 Area within which bylaw applies

- 2.1 This bylaw applies to the Queenstown Lakes District.

3 Purpose

- 3.1 The purpose of this bylaw is to prohibit or restrict freedom camping on land identified at clause 2 to:
 - (a) protect the area;
 - (b) protect the health and safety of people who may visit the area; and
 - (c) protect access to the area.
- 3.2 This bylaw also provides for other controls in relation to freedom camping, which apply to land within the Queenstown Lakes District.

4 Declaration that New Zealand Transport Agency (NZTA) land is local authority area

- 4.1 The areas of NZTA land identified in Schedule 1A or Schedule 2 are declared a local authority area for the purpose of the Act, which means they are local authority areas for the purpose of this Bylaw and are regulated as such under this Bylaw.

5 Bylaw does not apply to local authority land that is a reserve

- 5.1 This bylaw does not apply to any local authority area that is a reserve under the Reserves Act 1977. Decisions on whether to allow or restrict camping, including freedom camping, on any reserve will be made in accordance with the Reserves Act 1977

6 Interpretation

- 6.1 In this bylaw, unless the context otherwise requires,-

Act means the Freedom Camping Act 2011.

Certificate of self-containment (has the same definition as set out in section 4 of the Act) means a certificate of self-containment issued under section 87U of the Plumbers, Gasfitters, and Drainlayers Act 2006.

Chief Executive means the Chief Executive of the Queenstown Lakes District Council.

Council means the Queenstown Lakes District Council.

Enforcement officer means a person appointed to be an enforcement officer by the Queenstown Lakes District Council.

Freedom camp or freedom camping (has the same definition as set out in section 5 of the Act) means

- (1) In this Act, freedom camp means to camp (other than at a camping ground) within 200 m of an area accessible by motor vehicle or within 200 m of the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road or a Great Walks Track, using either or both of the following:
 - (a) a tent or other temporary structure;
 - (b) a motor vehicle.
- (2) In this Act, freedom camping does not include the following activities:
 - (a) temporary and short-term parking of a motor vehicle;
 - (b) recreational activities commonly known as day-trip excursions;
 - (c) resting or sleeping at the roadside in a motor vehicle to avoid driver fatigue.
- (2A) In this Act, a person is not freedom camping if the person—
 - (a) is a person other than a person who is in New Zealand on the basis of a visitor visa (within the meaning of the immigration instructions); and
 - (b) is unable to live in appropriate residential accommodation; and
 - (c) as a consequence of that inability, is living in either or both of the following:
 - (i) a tent or other temporary structure;
 - (ii) a motor vehicle.

Local authority area (has the same definition as set out in section 6 of the Act) means

- (1) In this Act, local authority area—

- (a) means an area of land—
 - (i) that is within the district or region of a local authority; and
 - (ii) that is—
 - (A) controlled or managed by or on behalf of the local authority under any enactment; or
 - (B) an area of NZTA land declared to be a local authority area in accordance with a bylaw made under section 10A; and
- (b) includes any part of an area of land referred to in paragraph (a); but
- (c) does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.

Motor vehicle (has the same definition as set out in section 6 of the Act) means

motor vehicle means each of the following:

- (a) a motor vehicle within the meaning of section 2(1) of the Land Transport Act 1998;
- (b) a unit used for camping that is not itself a vehicle but is capable of being—
 - (i) transported by means of being loaded onto a vehicle; and
 - (ii) used for camping whether or not it is loaded onto a vehicle

Road has the same meaning as section 315 of the Local Government Act 1974.

Self-contained (has the same definition as set out in section 4 of the Act) means, in relation to a motor vehicle, that the vehicle has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (but see subpart 1 of Part 1 of Schedule 1AA for the meaning of self-contained during the transitional period)

Person (has the meaning given in the Legislation Act 2019) means a corporation sole, a body corporate, and an unincorporated body.

- 6.2 Words or phrases used in this Bylaw shall have the same meanings as defined in the Act.
- 6.3 Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended and revoked without any formality.
- 6.4 The Legislation Act 2019 applies to this bylaw.

Part 2 – Controls on freedom camping

7 Freedom camping is prohibited in certain circumstances

- 7.1 No person may freedom camp in any local authority area in any tent or temporary structure.
- 7.2 No person may freedom camp in any local authority area that is not marked as a restricted area in Schedule 1A or Schedule 1B of this bylaw. Schedule 2 of this Bylaw identifies areas in which freedom camping is prohibited.
- 7.3 No person may freedom camp in any local authority area where freedom camping has been temporarily prohibited under Part 3.

8 Freedom camping is restricted in certain circumstances

- 8.1 Any person may freedom camp in a local authority area marked as restricted in Schedule 1A or Schedule 1B of this bylaw and only if using a self-contained motor vehicle.
- 8.2 Any person freedom camping in a local authority area (including NZTA land that has been declared local authority area for the purposes of the Act and this bylaw) marked as restricted in Schedule 1A of this bylaw must comply at all times with the conditions specified for that area in Schedule 1A.
- 8.3 Any person freedom camping in a local authority area marked as restricted in Schedule 1B of this bylaw must comply at all times with the following conditions:
 - (a) use a certified self-contained motor vehicle;
 - (b) ensure that the side or part of the motor vehicle closest to the road (that is the carriageway) is located a minimum of 5 metres from the nearest edge of the road hard shoulder (where provided) or edge of seal (where no hard shoulder) at all times;
 - (c) ensure that the motor vehicle is positioned in a location to ensure any other person can stop their motor vehicle in the immediate area at all times for any other purpose (i.e. other than for freedom camping);
 - (d) ensure that the motor vehicle is only positioned on a formed gravel or sealed surface;
 - (e) ensure any camping equipment and any other personal items are fully contained within 2 metres of the motor vehicle at all times, on a side of the vehicle away from the carriageway;

- (f) not stay more than 2 nights within any 30 day period, and not return to any location within 500 metres of a location where the person has previously freedom camped;
- (g) not leave any waste;
- (h) not light any fires outside of the motor vehicle.

Part 3 – Temporary changes to restricted freedom camping areas

9 Council may temporarily prohibit, restrict or change conditions in any restricted freedom camping area

9.1 The Chief Executive of the Council may temporarily prohibit, restrict or change the conditions in any restricted freedom camping area or part of any local authority area for one or more of the following purposes:

- (a) to protect the area.
- (b) to protect the health and safety of people who may visit the area.
- (c) to protect access to the area.

9.2 Notice will be given of any temporary prohibition, restriction or change of conditions in any restricted freedom camping area under clause 9.1, in any manner the Chief Executive considers is appropriate to the reason for the action taken under clause 9.1.

Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.

Part 4 – Discretionary consent to freedom camp

10 Consent to temporarily freedom camp in an area in which freedom camping is otherwise prohibited or restricted

10.1 Any person may apply in writing to the Chief Executive of the Council for consent to temporarily freedom camp in any local authority area in which freedom camping is prohibited or restricted, for a one off or community event.

Explanatory note: The type of events that may be applied for may include, but are not limited to: scout and guide events, sporting and club events, marae-related events, community and school events.

10.2 Any application under clause 10.1 must:

- (a) be made using the required form;
 - (b) provide sufficient detail about the event, including: the proposed location, intended dates of stay, proposed duration of freedom camping, number of people attending the event, method of freedom camping, and information about how human and other waste from the event will be managed; and
 - (c) be made at least 20 working days before commencement of the event.
- 10.3 The Chief Executive has discretion in relation to an application under clause 10.1 to:
 - (a) refuse the application; or
 - (b) approve the application; or
 - (c) approve the application with terms and conditions.
- 10.4 If the Chief Executive is satisfied that the application would not be contrary to the purpose of this Bylaw, the application approved under clause 10.3(c) may include such terms and conditions as the Chief Executive considered necessary to:
 - (a) protect the area;
 - (b) protect the health and safety of people who may visit the area;
 - (c) protect access to the area.
- 10.5 No approval under clause 10.3(b) or (c) has effect unless before the commencement of the activity a notice is given in any manner the Chief Executive considers is appropriate which specifies the period of the activity, its location, details of any terms and conditions, and details of a supervising person or organisation.

Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.
- 10.6 No approval can be made for:
 - (a) a contravention of this bylaw that has already occurred;
 - (b) an activity that has prohibited activity status within any district plan rule having legal effect in the District;
 - (c) if it would authorise something that is or would be contrary to any other enactment or regulations.

- 10.7 The Chief Executive may revoke any approval under clause 10.3(b) or (c) immediately where there is reason to believe that the activity may not protect the area, protect the health and safety of people who may visit the area, or protect access to the area.
- 10.8 The Chief Executive may prescribe any fees associated with applications for discretionary consent to freedom camp.
- 10.9 The Chief Executive can recover all such actual and reasonable fees and expenses incurred by the processing of, and notification of, any such application, including any necessary monitoring of the activity.
- 10.10 The applicant may request in writing for Council to review decisions under clause 10.3 to:
- (a) refuse the application under clause 10.3(a); or
 - (b) approve the application with terms and conditions under clause 10.3(c); or
 - (c) revoke any approval under clause 10.7.
- 10.11 In determining any review under clause 10.10, the Council may decide to:
- (a) confirm its original decision; or
 - (b) amend or remove the terms and conditions imposed on any approved application; or
 - (c) issue a new approval.

Part 5 – General provisions

11 Relationship of Bylaw to Ngai Tahu Claims Settlement Act 1998

- 11.1 This bylaw does not limit or affect nohoanga entitlements granted under the Ngāi Tahu Claims Settlement Act 1998.

12 Delegation

- 12.1 Any of the various powers and functions of the Council as detailed and set out in this bylaw may be delegated by it to its Chief Executive, and sub-delegated by the Chief Executive to any other Officer of the Council.

13 Enforcement

- 13.1 Council may use its powers under the Freedom Camping Act 2011 to enforce this Bylaw.

14 Offences and Penalties

- 14.1 Every person who contravenes this bylaw commits an offence.
- 14.2 Every person who commits an offence against this bylaw is liable to the penalty imposed under the Act.

Explanatory note A: Sections 20(1) and 20C of the Act specify the infringement offences applicable to local authority areas, and include that every person commits an infringement offence who:

- a. freedom camps in a local authority area in breach of any prohibition or restriction specified in this bylaw that applies to the area; or*
- b. makes preparations to freedom camp in a local authority area in breach of any prohibition or restriction in this bylaw that applies to the area.*

Explanatory note: The Freedom Camping (Penalties for Infringement Offences) Regulations 2023 sets out the infringement fees for breaches of bylaws made under the Act, and the maximum fine that can be imposed by a court. The infringement fee is \$400. The Act and Regulations set out a range of other offences and infringement fees, ranging from \$200 to \$800.

15 Savings

- 15.1 Any permission, consent, agreement or any other act of authority which originated under the Queenstown Lakes District Council Freedom Camping Bylaw 2021, or which was continued by that bylaw and which is still in force at the commencement of this bylaw continues to have full force and effect for the purpose of this bylaw

Schedule 1A – Restricted freedom camping areas – specific locations

Boundary Street Carpark, Queenstown



- Restricted freedom camping area
- Prohibited freedom camping area
- Prohibited freedom camping area: urban road
- Prohibited camping area under the Reserves Act 1977

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 15 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 8:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Gorge Road Carpark, Queenstown



- Restricted freedom camping area
- Prohibited freedom camping area
- Restricted freedom camping area: rural road
- Prohibited camping area under the Reserves Act 1977

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 2 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 7:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Gray Street Carpark, Frankton

- Restricted freedom camping area
- Prohibited freedom camping area: urban road
- Prohibited camping area under the Reserves Act 1977

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 10 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 7:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Queenstown Events Centre Carpark, Frankton - section

- Restricted freedom camping area
- Prohibited freedom camping area
- Prohibited freedom camping area: urban road

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 9 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 8:00 pm;
4. leave any marked space before 7:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Howards Drive Carpark, Lake Hayes

- Restricted freedom camping area
- Prohibited freedom camping area
- Prohibited freedom camping area: urban road

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 3 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 7:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Flint Street Carpark, Arrowtown

- Restricted freedom camping area
- Prohibited freedom camping area
- Prohibited freedom camping area: urban road
- Prohibited camping area under the Reserves Act 1977
- Public toilet

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 5 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 8:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Glenorchy Domain Carpark, Glenorchy

- Restricted freedom camping area
- Prohibited freedom camping area
- Prohibited freedom camping area: urban road
- Prohibited camping area under the Reserves Act 1977
- P Public toilet

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 3 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 7:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Wānaka Recreation Centre Carpark, Wānaka


- Restricted freedom camping area
- Prohibited freedom camping area
- Prohibited freedom camping area: urban road

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 18 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 8:00 pm;
4. leave any marked space before 7:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Beacon Point Road Carpark, Wānaka


 Restricted freedom camping area

 Prohibited freedom camping area: urban road

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 5 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 8:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Kingston Road/State Highway 6 Carpark

 Restricted freedom camping area

 Public toilet

The maximum number of certified self-contained motor vehicles in this location must not exceed 50.

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. ensure any camping equipment and any other personal items are fully contained within 2 metres of the motor vehicle at all times;
3. not stay more than 2 nights within any 30 day period, and not return within a 30 day period;
4. not leave any waste;
5. not light any fires outside of the motor vehicle.

Camp Hill Road Carpark, Hāwea

- Restricted freedom camping area
- Restricted freedom camping area: rural road

The maximum number of certified self-contained motor vehicles in this location must not exceed 15.

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. ensure any camping equipment and any other personal items are fully contained within 2 metres of the motor vehicle at all times;
3. not stay more than 2 nights within any 30 day period, and not return within a 30 day period;
4. not leave any waste;
5. not light any fires outside of the motor vehicle.

Industrial Place Carpark, Queenstown - section

- Restricted freedom camping area
- Prohibited freedom camping area
- Restricted freedom camping area: rural road
- Prohibited camping area under the Reserves Act 1977

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 6 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 7:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

Allenby Place Carpark, Wānaka

- Restricted freedom camping area
- Prohibited freedom camping area: urban road
- Prohibited camping area under the Reserves Act 1977
- ♂ Public toilet

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 5 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 8:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

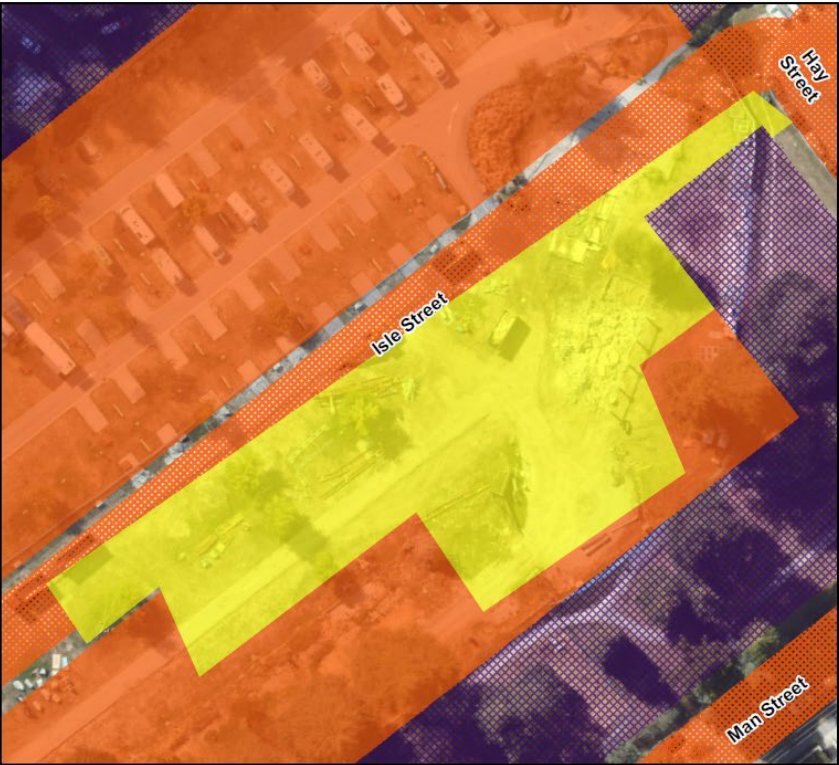
Gibbston Highway/State Highway 6 Carpark, Gibbston

- Restricted freedom camping area
- Restricted freedom camping area: rural road

A person freedom camping in this location must:

1. use a certified self-contained motor vehicle;
2. use one of the 2 marked motor vehicle spaces;
3. not arrive in any of the marked spaces before 6:00 pm;
4. leave any marked space before 8:00 am;
5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
7. not leave any waste;
8. not light any fires outside of the motor vehicle.

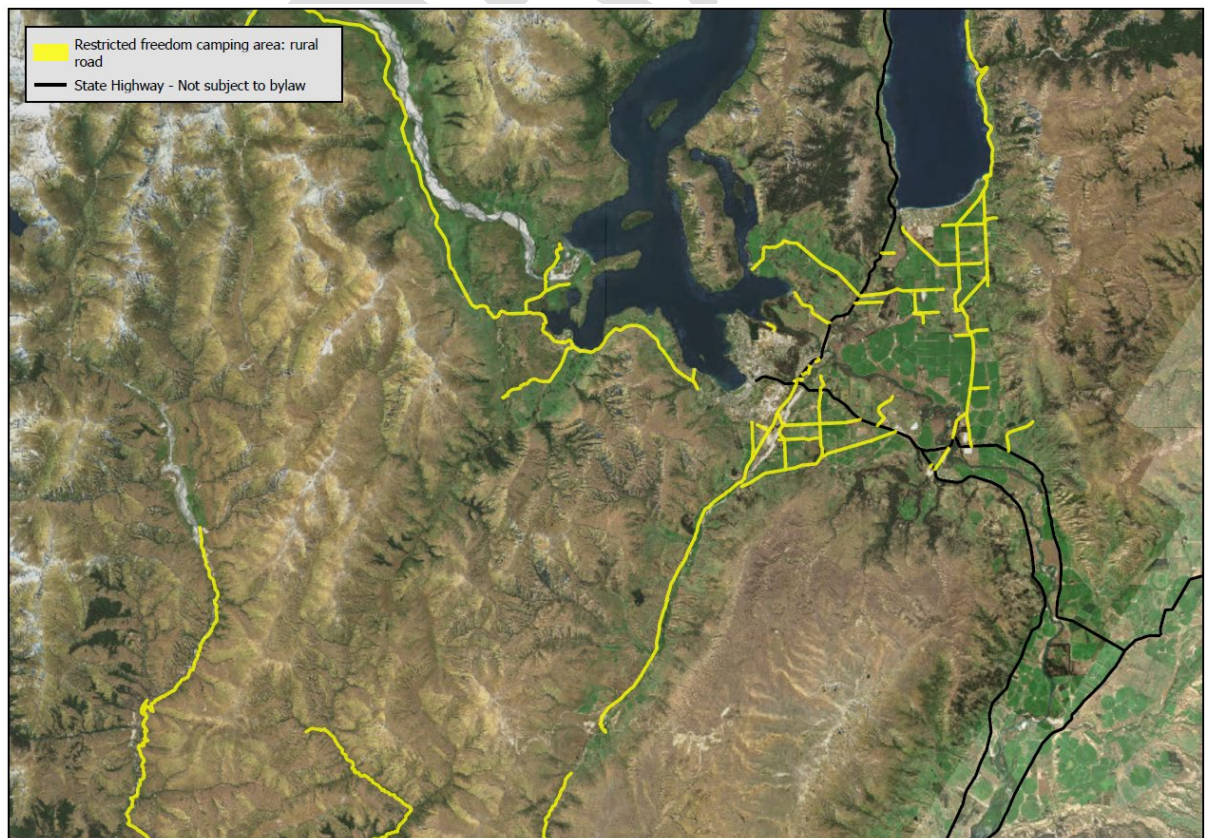
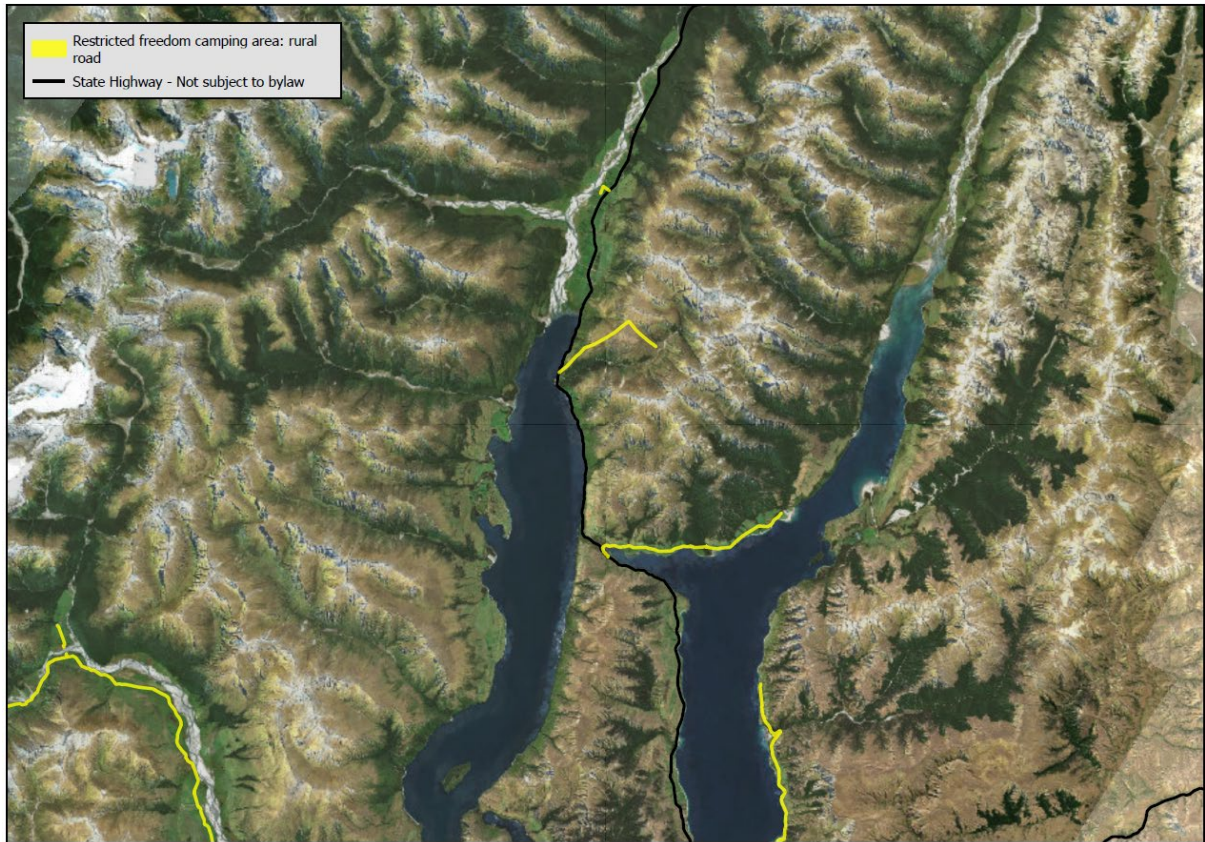
Lakeview Carpark, Queenstown

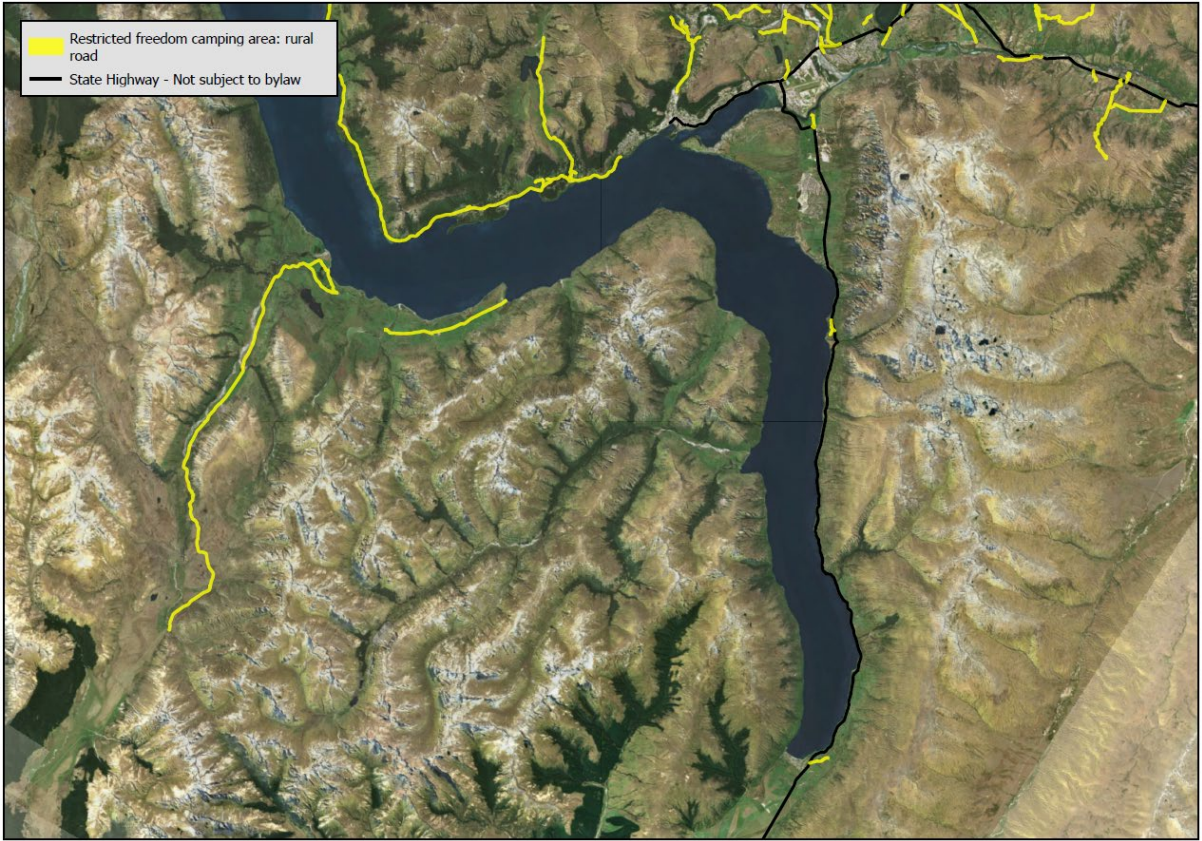
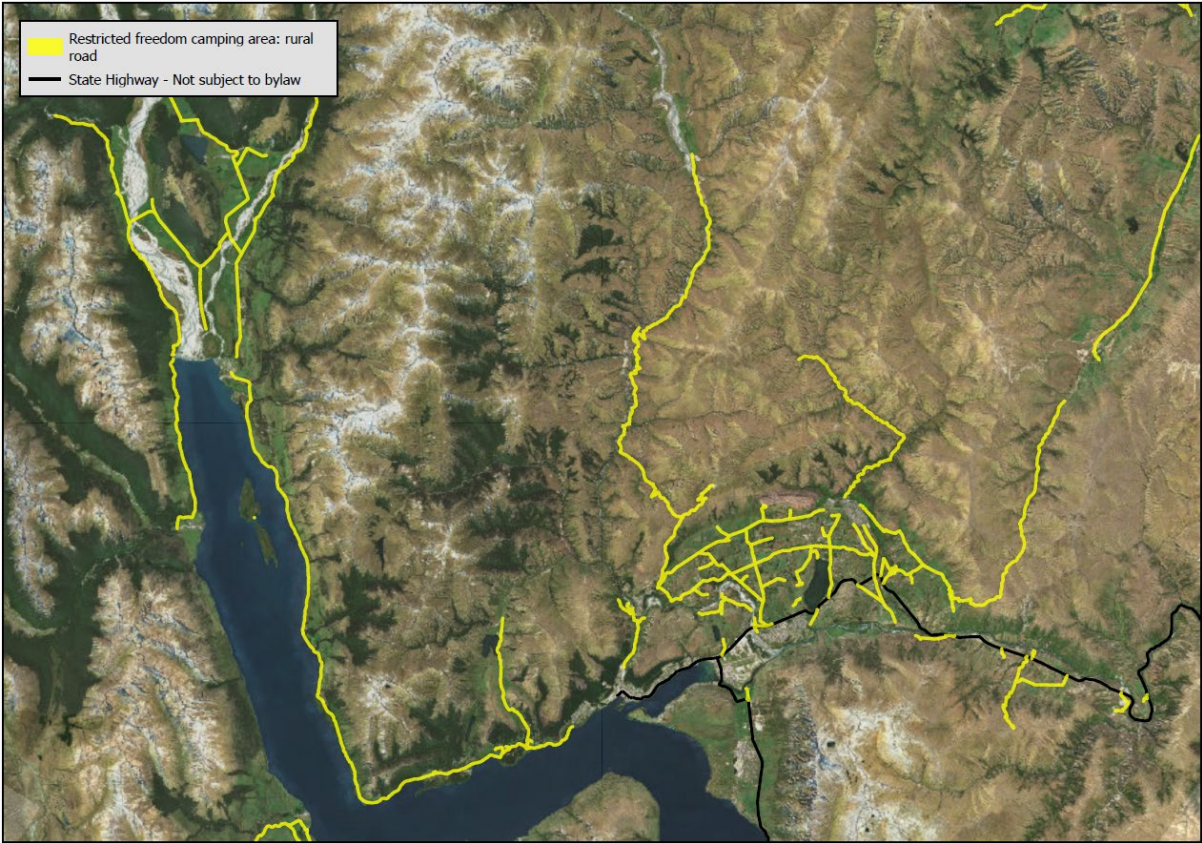


- Restricted freedom camping area
- Prohibited freedom camping area
- Prohibited freedom camping area: urban road
- Prohibited camping area under the Reserves Act 1977

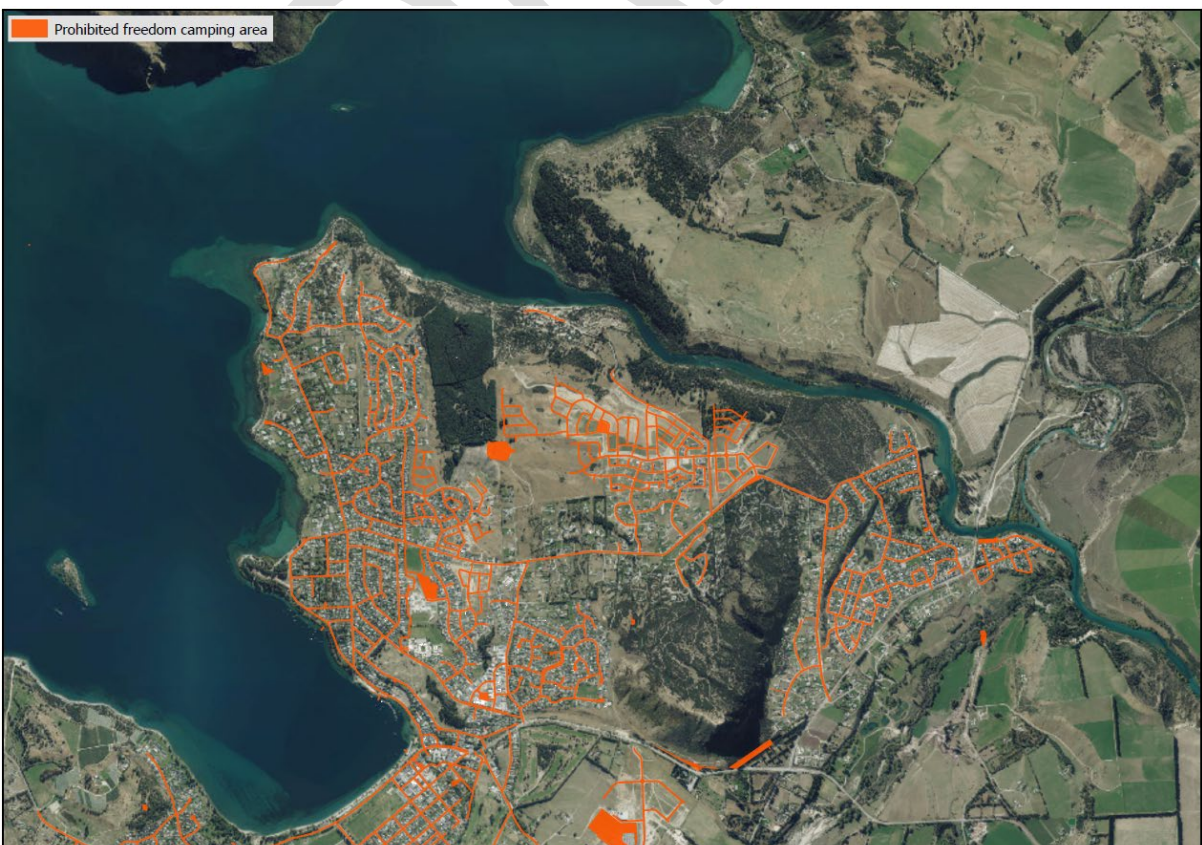
- A person freedom camping in this location must:
1. use a certified self-contained motor vehicle;
 2. use one of the 10 marked motor vehicle spaces;
 3. not arrive in any of the marked spaces before 6:00 pm;
 4. leave any marked space before 8:00 am;
 5. ensure any motor vehicle, camping equipment and any other personal items are fully contained within the one of the marked spaces;
 6. not stay more than 2 nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
 7. not leave any waste;
 8. not light any fires outside of the motor vehicle.

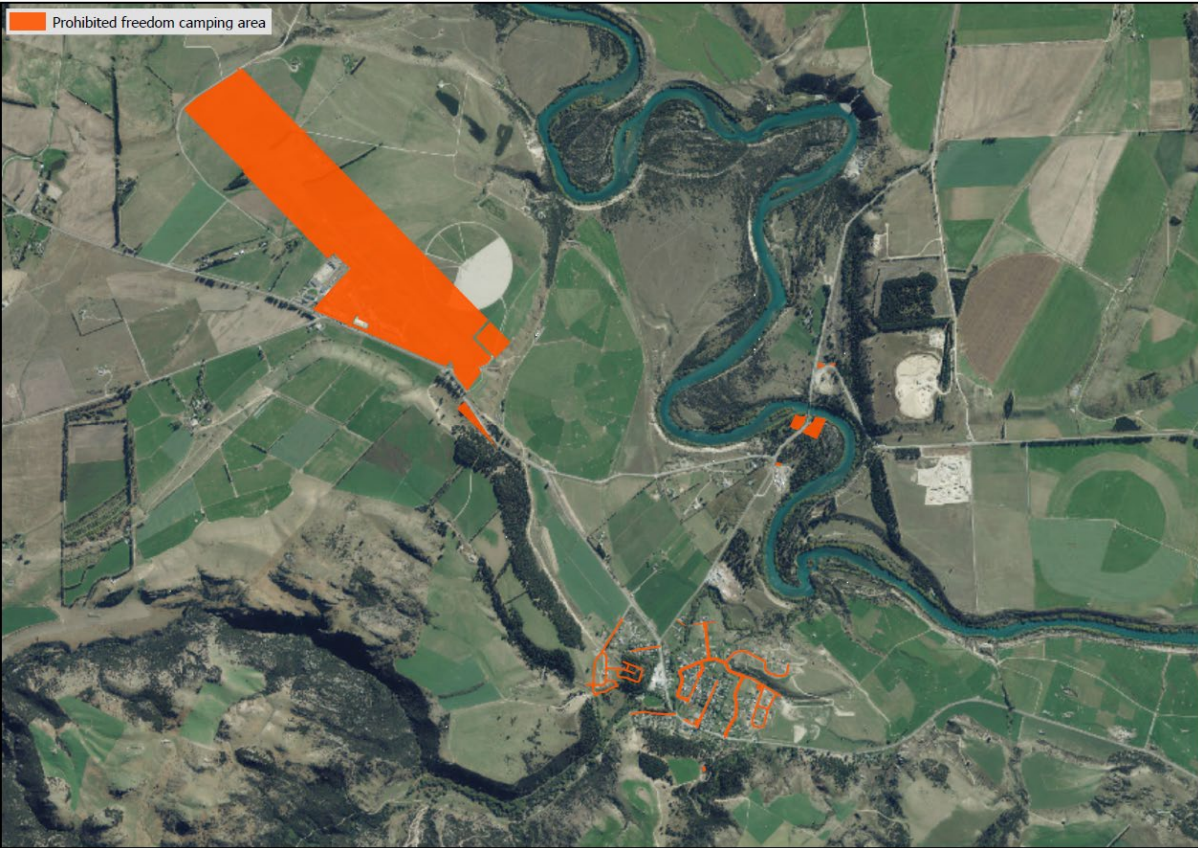
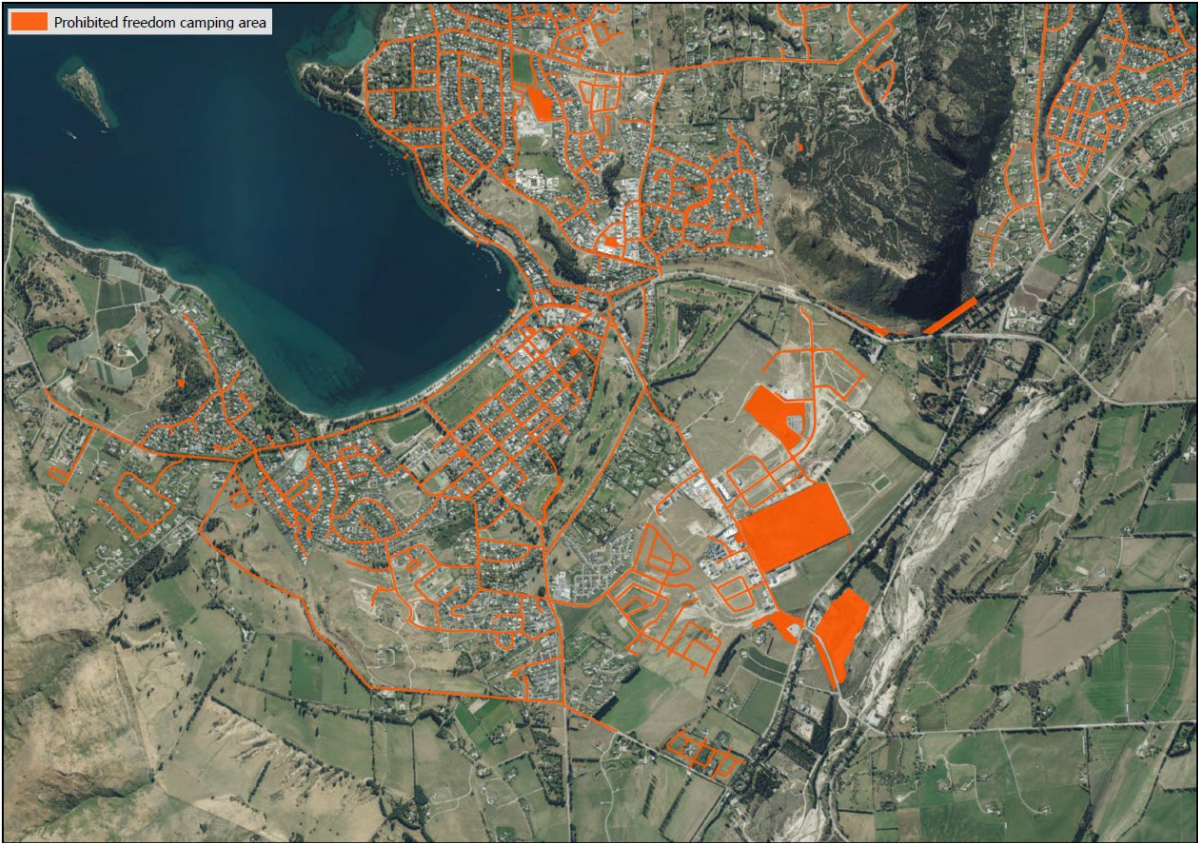
Schedule 1B – Restricted freedom camping areas – Rural roads

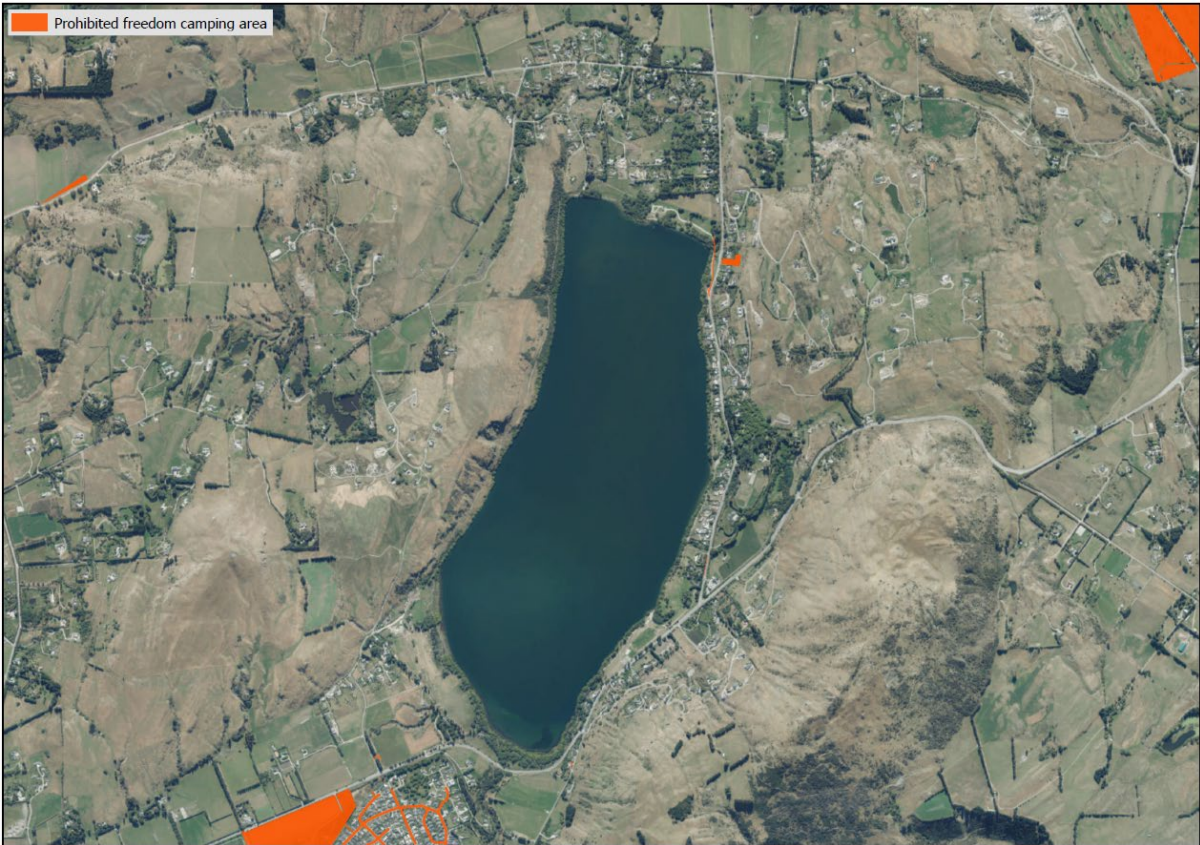
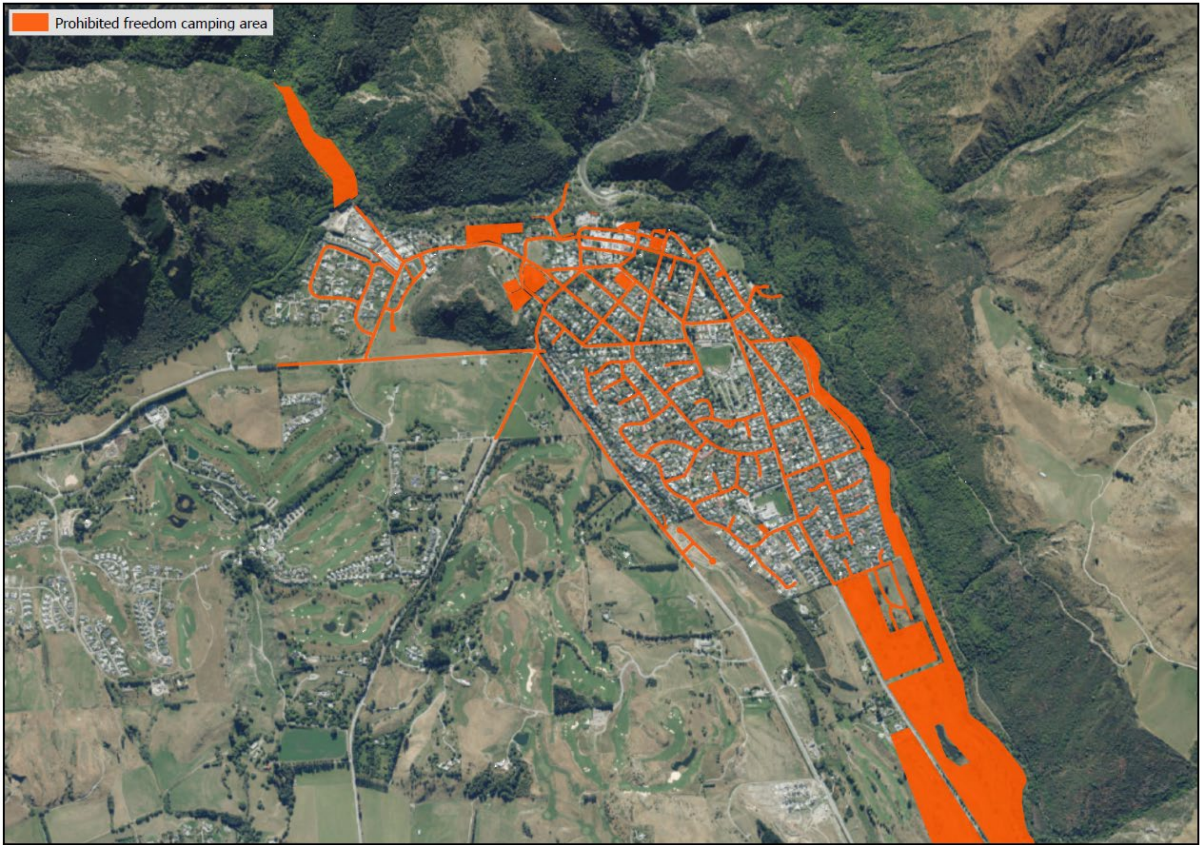


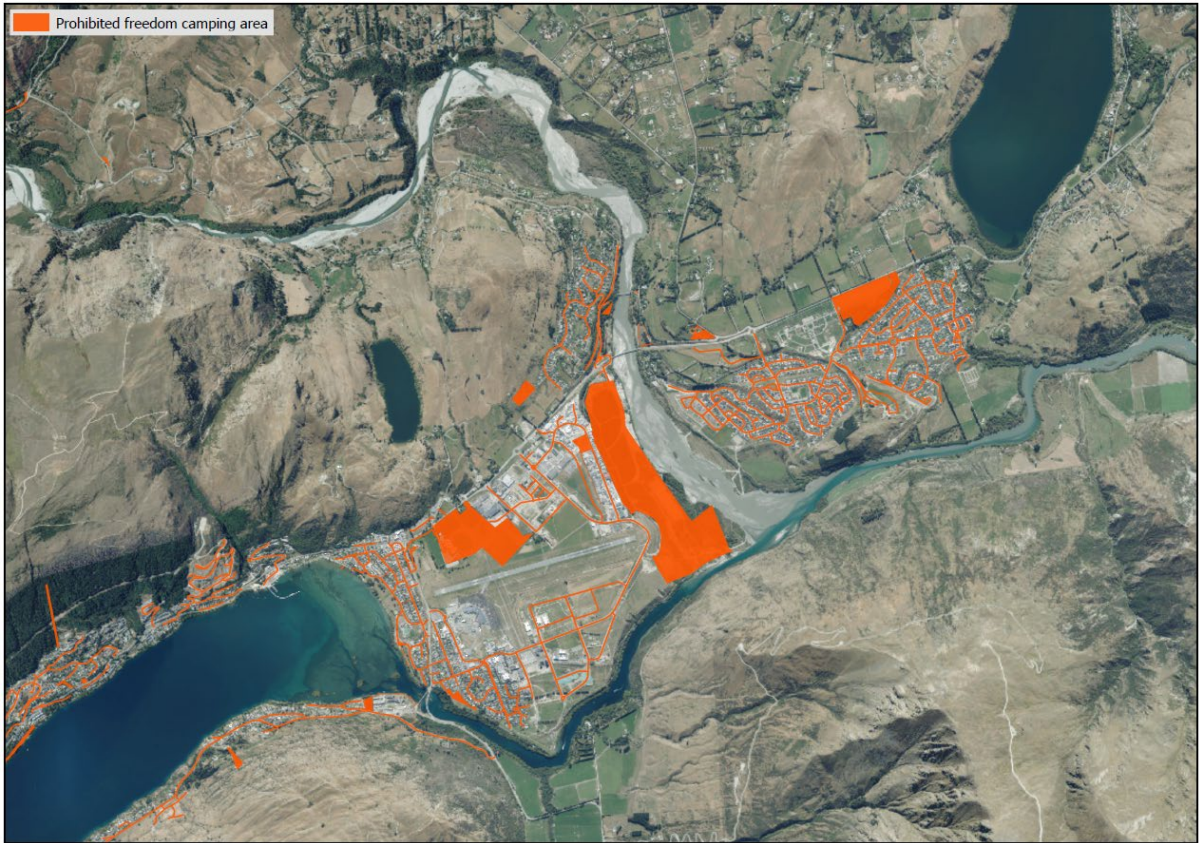


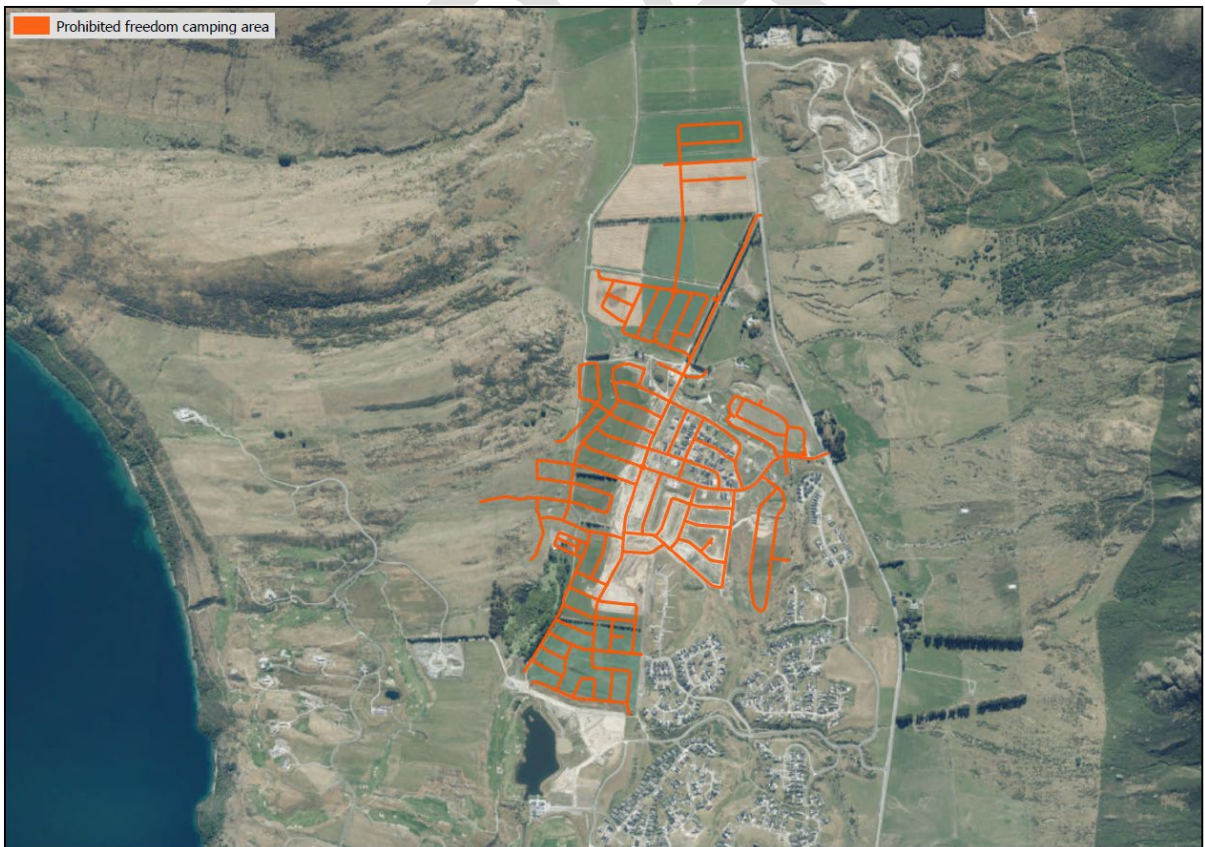
Schedule 2 – Prohibited freedom camping areas

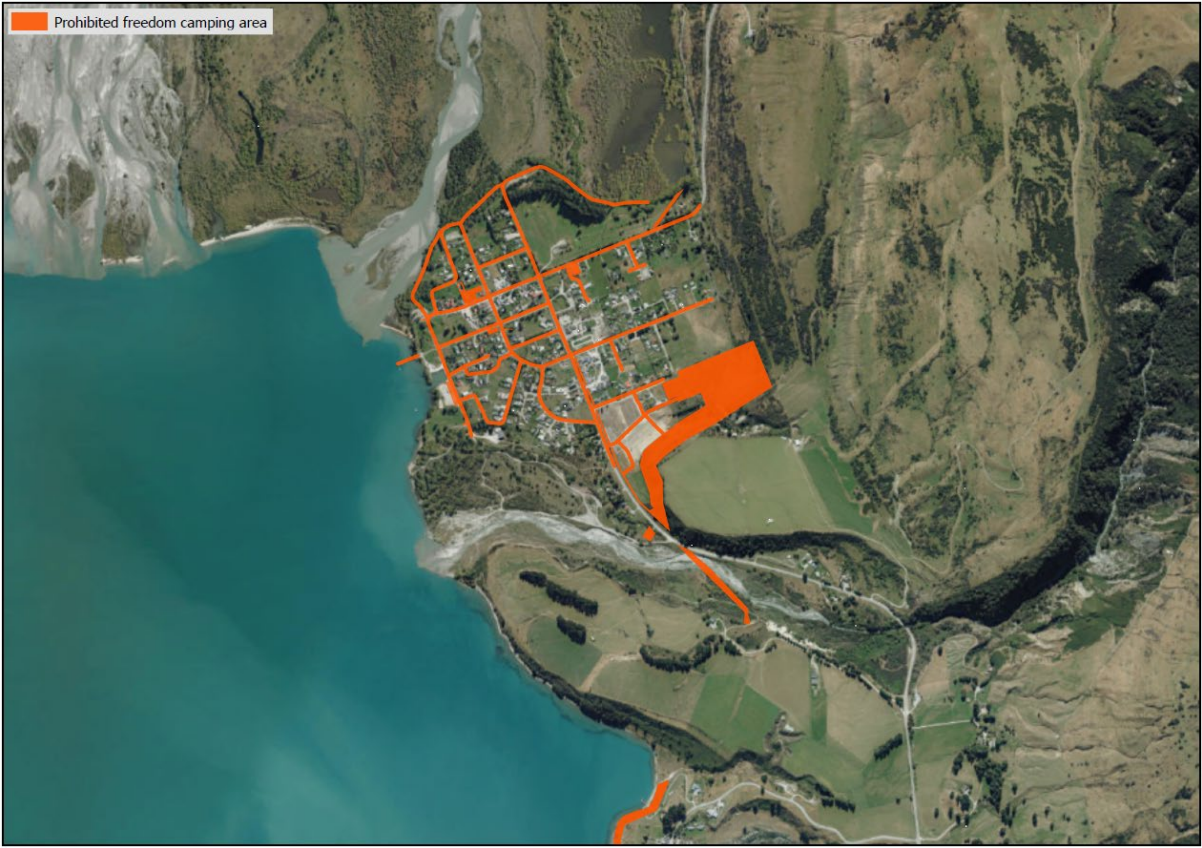












Statement of Proposal

Draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho
Puni Korehere 2025

Introduction

Why is Queenstown Lakes District Council proposing a draft Freedom Camping Bylaw?

The district is known to be one of the most popular camping destinations in Aotearoa New Zealand, and the most popular place for overnight 'free camping'. The total number of overnight campers over 2024 was 7,794, or more than double the number of overnight stays at the next most popular territorial authority area¹. The popularity of freedom camping has significantly increased in recent years. It is estimated that the number of international visitors practicing freedom camping rose from 10,000 to 123,000, in the decade between 2008 and 2018².

Freedom camping forms one part of the district's visitor centered economy. Tourism activities provide the district with a large proportion of its jobs and gross domestic product³. However, some freedom camping activities can have adverse impacts on the district and its community. While tourism activities (such as freedom camping) deliver a range of benefits for the community, they are also known to put pressure on residents and the environment. These impacts have been widely reported through concerns and complaints to Queenstown Lakes District Council (**QLDC, Council**) and have been observed on the ground by QLDCs summer responsible camping ambassadors.

The Freedom Camping Act 2011⁴ (**the Act**) regulates freedom camping on land controlled or managed by local authorities. The starting point in the Act is that it enables freedom camping in any local authority area (and on NZTA land) unless it is restricted or prohibited under a freedom camping bylaw.

Section 11 of the Act provides for local authorities to make freedom camping bylaws. A bylaw can declare any area that is controlled or managed by QLDC or NZTA to be restricted (freedom camping allowed with conditions) or prohibited (freedom camping not allowed). Bylaws can only be made to address one or more of the following purposes:

- a. to protect the area,
- b. to protect the health and safety of people who may visit the area, and
- c. to protect access to the area.

Section 12 of the Act does not allow for freedom camping bylaws to have the effect of prohibiting freedom camping in all the local authority areas.

What is freedom camping?

Freedom camping is defined in the Act. It means to camp on land that is controlled or managed by a QLDC that isn't a recognised camping ground (i.e. a fee-paying commercial campground) using a motor vehicle, tent or other type of temporary structure. To be freedom camping it must be within 200 metres of an area accessible by a motor vehicle, or on or within 200 metres of a formed road or Great Walks Track.

¹ Campermate app, Overnight Stays at 'free camps', 2024

² <https://www.mbie.govt.nz/immigration-and-tourism/tourism/tourism-projects/responsible-camping/responsible-camping-working-group/>

³ infometrics.co.nz

⁴ <https://www.legislation.govt.nz/act/public/2011/0061/latest/whole.html#contents>

Freedom camping does not include short term parking, day-trip excursions, or resting at the roadside in a motor vehicle to avoid driver fatigue. It also excludes anyone who is not a tourist and unable to live in appropriate residential accommodation and living in a tent or other temporary structure, or a motor vehicle.

How is freedom camping currently managed in the district?

QLDC does not currently have a freedom camping bylaw in place. The Freedom Camping Bylaw 2021 was quashed by the High Court in November 2024 following a judicial review application by the New Zealand Motor Caravan Association.

In the absence of a freedom camping bylaw, QLDC has been relying on the following to manage some of the adverse impacts of freedom camping:

- > While the Act permits freedom camping on QLDC controlled and managed land, it does require any person using a motor vehicle to freedom camp to be certified self-contained, meaning that the motor vehicle needs to have a toilet and enough fresh and wastewater storage for three days without getting more or dumping waste. It is an offence to use any motor vehicle to freedom camp that is not certified self-contained. QLDC can issue fines for breaches of this requirement.
- > No person can camp on the majority of land classified as a reserve (such as a local park or sports ground) under the Reserves Act 1977. QLDC can issue fines for anyone camping (including freedom camping) on reserve land.

While these regulations provide some tools to manage freedom camping in various circumstances, they do not provide scope for QLDC to manage the full range of effects of freedom camping on all other QLDC land and roads.

Council's proposal

At a Council meeting on 26 June 2025, Council adopted the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025 (**the draft bylaw**) for consultation with the community. The draft bylaw can be found on Council's website at [Draft Freedom Camping Bylaw 2025 | Let's Talk Queenstown Lakes District Council](#).

The draft bylaw includes provisions to manage freedom camping on QLDC controlled or managed land (and some Waka Kotahi New Zealand Transport Authority (NZTA) land with the agreement of the Chief Executive of NZTA) in order to protect the values of these areas, access to the land, or health and safety of users. The draft bylaw has been informed by a technical assessment that has provided advice on what areas of the district need to be protected through the use of a bylaw. The draft bylaw does this in the following ways:

- > Proposing specific restricted freedom camping areas (primarily in existing car parking areas). Restricted freedom camping areas are locations where freedom camping can take place so long as it complies with the conditions identified in the draft bylaw for that location. The draft bylaw identifies 15 restricted freedom camping areas across the district. These locations and the proposed conditions are shown in Schedule 1A of the draft bylaw and are summarised in the table below.
- > Restricting freedom camping on roads within the district's rural areas. These roads are located outside of the district's urban built up areas. This means that freedom camping can take place on any areas off the active road corridor (ie off road layby etc areas) provided it complies with the proposed conditions specified in the draft bylaw. These locations are shown in Schedule 1B of the draft bylaw.

Statement of Proposal

Draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025

- > Examples of conditions that could be applied across restricted freedom camping areas to protect the values of areas of QLDC controlled or managed land areas, access to the land, or health and safety of users include, but are not limited to:
 - use a certified self-contained motor vehicle
 - use one of the marked motor vehicle spaces within the area
 - must not arrive in any of the spaces before a specific time in the evening (time will be site dependent)
 - must leave any space before a specific time in the morning (time will be site dependent)
 - ensure any motor vehicle, camping equipment and any other personal items are fully contained within one of the marked spaces
 - not stay more than two nights within any 30 day period, and not return to any of the marked spaces within a 30 day period;
 - not leave any waste
 - not light any fires outside of the motor vehicle.
- > Prohibiting (i.e. not allowing) freedom camping on roads within the district's built up urban areas (such as town centres, commercial/business areas and residential areas). This includes prohibiting freedom camping within any on-road vehicle parking spaces (ie parallel, angle, etc parking spaces).
- > The draft bylaw does not propose any areas where freedom camping in a non self-contained motor vehicle or tent is provided.
- > QLDC can temporarily make changes to the way that freedom camping is regulated in any restricted or prohibited freedom camping area (or any local authority area) in order to address unanticipated or emergency events related to a need to protect the area, access and/or health and safety.
- > Applications can be received from any person to temporarily freedom camp in any local authority area in which freedom camping is prohibited or to freedom camp in any restricted area not in accordance with the conditions specified for that location, for one off or community events such as scout and guide events, sporting and club events, marae-related events, community and school events.

The table below summarises the proposed specific restricted freedom camping areas proposed in the draft bylaw, not including areas off the active road corridor in the district's rural areas. These are areas where freedom camping would be allowed under the draft bylaw, subject to compliance with specific conditions that apply to each area (maps are shown in Schedule 1A of the draft bylaw).

Location	Number of vehicle spaces proposed within location
Whakatipu	
Boundary Street carpark, Queenstown	15
Gorge Road carpark, Queenstown	2
Industrial Place carpark Queenstown	6
Lakeview carpark, Queenstown	10
Gray Street carpark, Frankton	10
Queenstown Event Centre carpark, Frankton	9
Howards Drive carpark, Lake Hayes	3
Glenorchy Domain carpark, Glenorchy	3

Statement of Proposal

Draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025

Gibbston Highway/State Highway 6 carpark (NZTA land)	2
Kingston Road/State Highway 6 carpark (NZTA land)	50
Flint Street carpark, Arrowtown	5
Upper Clutha	
Wānaka Recreation Centre carpark, Wānaka	18
Allenby Place carpark, Wānaka	5
Beacon Point Road carpark, Wānaka	5
Camp Hill Road carpark, Hāwea	15
Total number of carparking spaces in proposed specific restricted freedom camping areas)	158

Note that the draft bylaw proposes restricted freedom camping on roads within the district's rural areas. This will provide for further provision of freedom camping with conditions that are appropriate for these locations. Among others, these conditions relate to the nature of the ground/surface, minimum separation distance from the nearest edge of the road shoulder or edge of seal and ensuring sufficient space so that any other person can stop their motor vehicle in the immediate area at all times.

Note that an additional 50 spaces are already provided under an existing ministerial delegation at the Luggate Red Bridge site that is managed via the Reserves Act 1977.

The community has important experiences and information about freedom camping to share through the consultation process. QLDC is open to considering different approaches to managing freedom camping on QLDC or NZTA controlled or managed land. This includes the identification of other areas controlled or managed by QLDC in order to provide for freedom camping in a manner appropriate for that location.

This statement of proposal is prepared under sections 83 and 86 of the LGA and contains:

- > a copy of the draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025,
- > information about the draft bylaw, including Council's determinations under section 11 of the Act,
- > the reasons for the draft bylaw,
- > how the public and any interested person can have their say on the draft bylaw, and
- > the timetable for consultation.

The reason for the proposal

The key reasons for this proposal are to ensure that freedom camping in the district is managed in a way that protects the values of areas of QLDC controlled or managed areas (and select NZTA land), access to the land, or health and safety of users who may visit the land.

This proposal seeks community views on the draft bylaw, encourages people to give feedback on the draft bylaw, and lets people know how they can give feedback.

The 26 June 2025 Council report is available at [26 June 2025 Full Council Meeting | Queenstown Lakes District Council](#) and contains more detailed information on the reasons for the proposal.

How you can have your say

Anyone can make a submission online using the survey provided at [Draft Freedom Camping Bylaw 2025 | Let's Talk Queenstown Lakes District Council](#).

Submissions can also be received in writing by post or hand delivery, or via email (letstalk@qldc.govt.nz) but we recommend your submission be made using the online survey.

Submissions will be accepted from 8.00am on 8 July 2025 and must be received by 5.00pm on 8 August 2025.

All submissions should state:

- > the submitter's name⁵,
- > details of any organisation the submitter is representing (if applicable),
- > the submitter's contact details, and
- > whether or not the submitter would like to speak at a hearing on the draft bylaw.

Copies of this statement of proposal and the draft bylaw may be obtained at no cost from either of the Council offices at 10 Gorge Road, Queenstown or 47 Ardmore Street, Wānaka, any Council library within the Queenstown Lakes District or the Council website at [Draft Freedom Camping Bylaw 2025 | Let's Talk Queenstown Lakes District Council](#). If you need help submitting, please contact Council at 03 441 0499, or call in to one of Council's offices. All written submissions made to Council within the submission period will be acknowledged.

Submissions are considered public information under the Local Government Official Information and Meetings Act 1987, and submissions will be made publicly available including by being published on our website following the consultation period. Your personal contact details will not be published⁶.

Council intends to hold a hearing in the week of 25 August 2025. This is when anyone who has made a submission and who has said they would like to speak to Council, can do so. This meeting will be open to the public. If you indicate you would like to be heard, Council staff will get in touch with you to arrange a time for you to speak at the hearing either in person or via audio-visual link. If at the hearing you have any requirements, please let us know.

Timetable for consultation

The dates below outline the timetable for the consultation process. Any changes to these dates will be publicly advised on Council's Facebook page and website.

⁵ Note: if you do not feel comfortable providing your name or contact details in a submission, please contact Council, who can facilitate an anonymous submission.

⁶ In accordance with LGOIMA section 7(2)(a) to protect the privacy of natural persons.

Statement of Proposal

Draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho
Puni Korehere 2025

Indicative date	Activity
26 June 2025	Council adopted the draft bylaw and statement of proposal for consultation
8 July 2025	Consultation period begins (8.00am)
8 August 2025	Consultation period ends (5.00pm)
week of 25 August 2025 (date TBC)	Oral submissions heard by Council hearing panel
9 October 2025	Deliberations and adoption by Council

Determinations under section 11 of the Freedom Camping Act 2011

Before making or reviewing a bylaw, Council must make the determinations required under section 11(2)(b) and (c) of the Act. These determinations include:

- > Council must be satisfied that the bylaw is necessary for one or more of the purposes prescribed, being to protect the area, protect the health and safety of visitors to the area, or to protect access to the area (section 11(2)(a)),
- > whether a bylaw is the most appropriate and proportionate way of addressing the perceived problem (section 11(2)(b)), and
- > whether the bylaw gives rise to any inconsistencies with the New Zealand Bill of Rights Act 1990 (11(2)(c)).

An assessment for each required determination is set out below.

A bylaw is necessary to protect the area, protect the health and safety of visitors to the area, or to protect access to the area

QLDC engaged external consultants at Tonkin and Taylor (TT) to undertake a comprehensive multidisciplinary technical analysis of the effects that freedom camping has on the unique values of land controlled or managed by QLDC (and select NZTA sites). The following were assessed by subject matter experts:

- transport and traffic
- health and safety
- natural hazards
- ecology

- water quality and quantity, and water services
- noise (acoustics)
- Māori/cultural values, and
- heritage.

A range of data was considered (i.e. requests for service from the community and responsible camping survey data) to understand issues associated with freedom camping across the district. The adverse impacts of uncontrolled freedom camping were assessed by each subject matter expert for each area, in relation to the three areas of section 11(2)(a) of the Act (i.e. protection of the area, health and safety of people and access to the area). An assessment of the relative severity of the impacts was undertaken.

This assessment used levels to rate the severity of adverse impacts, and then recommended an appropriate level of consideration under the draft bylaw.

Appropriate and proportionate way of addressing the perceived problem

The perceived problem that requires addressing is the adverse impacts of freedom camping on local authority areas (areas managed or controlled by QLDC) with respect to the area (i.e. the protection of an area, including its values and attributes), access to the area, and health and safety of people who may visit the area. A bylaw may be made to protect any of these matters in relation to a particular area where freedom camping may occur.

The district is the most popular camping destination in Aotearoa New Zealand, and the most popular place for overnight 'free camping'. The district receives a significant quantum of campers in comparison to the rest of Aotearoa New Zealand. As outlined in previous reporting⁷ and in the technical assessment undertaken by TT, the district experiences adverse impacts from freedom camping on the characteristics, values and attributes that are present on areas managed or controlled by QLDC, and to access and health and safety of these areas (including with respect to the NZTA sites subject to the draft bylaw). As such, it is considered that a bylaw which restricts or prohibits freedom camping in certain areas is appropriate.

The draft bylaw comprises a proportionate response as it restricts freedom camping in areas where there are types of adverse impacts being experienced that can be managed by conditions (so as to ensure appropriate protection of the area, access and/or health and safety), and prohibits freedom camping in areas where there are high adverse impacts from freedom camping that cannot not be managed by conditions (such that freedom camping in these areas would not protect the area, access and/or health and safety). The approach in the draft bylaw provides a range of opportunities for restricted freedom camping across the district.

QLDC could rely only on the default requirement in the Act on land that it controls or manages (other than reserve land). However, it is not considered that this would be an appropriate or proportionate response taking into account the quantum of campers the district receives, the volume of request for service applications from the public, summer ambassador survey information, and the technical assessment of current adverse impacts and effects of freedom camping undertaken by TT.

The draft bylaw is consistent with the New Zealand Bill of Rights Act 1990

⁷ See 20 March 2025 full council freedom camping issues and options report

The New Zealand Bill of Rights Act 1990 grants certain civil and political rights to people in Aotearoa New Zealand. In accordance with section 5, 'the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society'.

Section 18 of the New Zealand Bill of Rights Act 1990 relates to 'freedom of movement'. In particular, section 18 provides that 'everyone lawfully in New Zealand has the right to freedom of movement and residence in New Zealand' and is engaged by virtue of the draft bylaw's limits on freedom camping in certain areas.

The draft bylaw includes a number of provisions which prohibit freedom camping in certain areas in the district that are controlled or managed by QLDC.

In addition to the draft bylaw's prohibited areas, it includes a wide range of enabling provisions that provide for restricted freedom camping across parts of the district. While these provisions contain conditions which place certain limits on the type, nature and scale of freedom camping, they are intended to protect the area, access and health and safety for freedom campers to use these locations, as well as any other person that may visit the area. This ensures safe and enjoyable experiences for freedom campers.

Further, the bylaw includes provisions that provide a pathway for any person to apply for a consent to temporarily freedom camp in any local authority area in which freedom camping is prohibited or restricted, for a one off or community event.

On balance, it is considered that the draft bylaw's restrictive and enabling provisions together are 'demonstrably justified' and present 'reasonable limits' on the rights and freedoms contained within the New Zealand Bill of Rights Act 1990, and do not unreasonably interfere with any of the identified rights. As such, it is advised that the draft bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

NZTA Land

Where NZTA land is to be considered local authority land for the purposes of a freedom camping bylaw (sections 10A, 11(3) of the Act), the Chief Executive of NZTA must give their written consent for this to occur. QLDC and NZTA are working to formalise this requirement for the four areas of NZTA land that are proposed to be covered by the draft bylaw. Two areas (Gibbston Highway/State Highway 6 carpark and Kingston Road/State Highway 6 carpark) are proposed to be specific restricted freedom camping areas. Two areas (State Highway 8A land in the area of the Luggate Red Bridge and State Highway 84 land to the south of Mt Iron, Wānaka) are proposed as prohibited freedom camping areas. Other areas of the state highway network are not subject to the draft bylaw.

What happens next?

After it has received written and oral submissions, it is intended Council will make decisions on the draft bylaw at its meeting on 9 October 2025 to ensure a new bylaw is in place ahead of summer 2025-2026.

As with any consultation process, including on a draft bylaw, it is open to Council to consider other amendments that could be included in the bylaw. Council may make changes to the draft bylaw in response

Statement of Proposal

Draft Freedom Camping Bylaw 2025 | Ture ā-Rohe mō te Noho Puni Korehere 2025

to feedback received. However, if any changes are material and go beyond the scope of the draft bylaw and this statement of proposal, they may require further consultation before a final bylaw can be adopted.

During the consultation process, Council may consider community views that seek to:

- make changes to the matters and/or areas that are regulated in the draft bylaw,
- add additional matters/areas that are to be regulated by the draft bylaw,
- make any other additional changes to the draft bylaw,
- not adopt a bylaw.

Once the hearing panel has received submissions and made their recommendations on the draft bylaw, Council will be in a position to make a decision on the draft bylaw. This could involve Council deciding to adopt the draft bylaw recommended by the hearing panel, making amendments and then adopting the bylaw, or not adopting a bylaw at all.

Attachment D - List of officers recommended amendments to the draft bylaw

Additions underlined and deletions ~~striketrough~~

Clause	Recommended amendment
Clause 6.1 Interpretation	<p>New definition:</p> <p><u>Water body means water in a river, lake, stream, pond, wetland.</u></p>
Clause 8.1 Schedule 1A	<p>New explanatory notes:</p> <p><u>Explanatory note A – specific restricted areas with arrival and departure restrictions: A freedom camper is permitted to stay in the same location or vehicle space overnight provided they depart the location or vehicle space outside of the hours specified for this location. Any vehicle space in the location must be left vacant in accordance with the conditions for that location and can be used by any other person/vehicle. A freedom camper may return to the same location or vehicle space for a second night during the hours specified for this location. A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30-day period. The intent of this provision is to ensure access to multiple different users.</u></p> <p><u>Explanatory note B – specific restricted areas at Kingston and Camp Hill Bridge: A freedom camper is permitted to stay in the same location overnight for a maximum period of two nights. A freedom camper is not required to move their vehicle from the period they arrive in the location for two nights; however they must leave the space before the departure time condition applied after the second night. A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30 day period.</u></p>
Clause 8.3 Schedule 1B	<p>New explanatory note:</p> <p><u>Explanatory note – rural roads: A freedom camper is permitted to stay in the same location overnight for a maximum period of two nights. A freedom camper is not required to move their vehicle from the period they arrive in the location for two nights. A freedom camper is not permitted to stay overnight in the same location or vehicle space for a third night within a 30 day period, and is not permitted to camp overnight for a third night within 500 metres of the location that the person had freedom camped within the previous two nights.</u></p>
Clause 8.3 Schedule 1B	<p>New explanatory note:</p> <p><u>Explanatory note – Schedule 1B identifies areas of the rural road network that may have locations available for restricted freedom camping subject</u></p>

Clause	Recommended amendment
	<u>to the conditions in clause 8.3. Schedule 1B does not identify any specific location that meets the conditions in clause 8.3. A person wishing to freedom camp in any area identified in Schedule 1B must actively ensure that a location meets every condition in clause 8.3 before freedom camping in that location. Specific locations that may be available on a road identified in Schedule 1B and which also meets the conditions in clause 8.3 are not physically identified.</u>
Clause 8.3 Schedule 1B	New explanatory note: <u>Explanatory note – Schedule 1B identifies areas of the rural road network that may contain complex and challenging terrain or road conditions. A person wishing to travel on any road identified in Schedule 1B should carefully consider their vehicle’s capabilities, their driving experience, and preparedness for different road conditions and potential emergency situations.</u>
Clause 8.3	New condition: <u>Ensure any motor vehicle is positioned in a location not closer than 10 metres to any waterbody that is located on the local authority area.</u>
Clause 8.3(b)	Amended clause: ensure that the side or part of the motor vehicle closest to the road (that is the carriageway) is located a minimum of 5 metres from the nearest edge of the road <u>hard</u> a <u>marked</u> shoulder (where provided) or edge of seal (where no hard shoulder) <u>or edge of metalled/gravel (where no hard shoulder or seal)</u> at all times;
Clause 8.3(d)	Amended condition: Any person freedom camping in a local authority area marked as restricted in Schedule 1B of this bylaw must comply at all times with the following conditions: ... ensure that the motor vehicle is only positioned on a formed gravel, <u>mettled</u> or sealed surface;
Clause 7.2	Amended clause: No person may freedom camp in any local authority area that is not marked as a restricted area in Schedule 1A or Schedule 1B of this bylaw. <u>in Schedule 2 of this Bylaw identifies areas in which freedom camping that is marked as prohibited.</u>
Part 3	Amended clause 9 and add a new clause 10:

Clause	Recommended amendment
Clause 9	<p data-bbox="427 286 1378 360">9 Council may temporarily prohibit, restrict or change conditions in any restricted freedom camping area</p> <p data-bbox="427 398 1378 584">9.1 The Chief Executive of the Council may temporarily prohibit, restrict or change the conditions in any restricted freedom camping area <u>or prohibit freedom camping or part of any local authority area consistent with section 11(2)(a) of the Act. for one or more of the following purposes:</u></p> <p data-bbox="523 622 1378 660">(a) to protect the area.</p> <p data-bbox="523 698 1378 772">(b) to protect the health and safety of people who may visit the area.</p> <p data-bbox="523 810 1378 848">(c) to protect access to the area.</p> <p data-bbox="427 887 1378 1184">9.2 Notice will be given of the any temporary prohibition, restriction or change of conditions in any restricted freedom camping area under clause 9.1, <u>including the location subject to the decision, either by a map or a description of its locality,</u> in any manner the Chief Executive considers is appropriate to the reason for the action taken under clause 9.1. <u>The notice shall include a timeframe and/or reasons for the temporary prohibition or restriction to be lifted.</u></p> <p data-bbox="523 1223 1378 1373"><i>Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.</i></p> <p data-bbox="427 1411 1378 1520">9.3 <u>A person must not freedom camp in a local authority area (or part of a local authority area) in contravention with a decision made under clause 9.1.</u></p> <p data-bbox="427 1574 1378 1648">10 <u>Consent to temporarily prohibit, restrict or change conditions in any restricted freedom camping area</u></p> <p data-bbox="427 1686 1378 1836">10.1 <u>Any person may apply in writing to the Chief Executive of the Council to temporarily prohibit, restrict or change the conditions in any restricted freedom camping area consistent with section 11(2)(a) of the Act.</u></p> <p data-bbox="523 1874 1378 2024"><i><u>Explanatory note: This clause is intended to enable flexibility so that freedom camping can be temporarily prohibited, restricted or to provide for existing conditions in the bylaw to be amended so as to provide for the operation of an organised event, where the</u></i></p>

Clause	Recommended amendment
	<p><u>Chief Executive considers it appropriate to protect the area, access and/or health and safety with respect to the organised event. The type of events the clause may apply to include, but are not limited to: scout and guide events, sporting and club events, marae-related events, community and school events.</u></p> <p>10.2 <u>Any application under clause 10.1 must:</u></p> <ul style="list-style-type: none"> (a) <u>be made using the required form;</u> (b) <u>provide sufficient detail about the event, including: the proposed location, intended dates, proposed duration, number of people attending the event; and</u> (c) <u>be made at least 20 working days before commencement of the event.</u> <p>10.3 <u>The Chief Executive has discretion in relation to an application under clause 10.1 to:</u></p> <ul style="list-style-type: none"> (a) <u>refuse the application; or</u> (b) <u>approve the application; or</u> (c) <u>approve the application with terms and conditions.</u> <p>10.4 <u>No approval under clause 10.3(b) or (c) has effect unless before the commencement of the activity a notice is given in any manner the Chief Executive considers is appropriate which specifies the period of the activity, the location subject to the decision, either by a map or a description of its locality, details of any terms and conditions, and details of a supervising person of organisation. The notice shall include a timeframe and/or reasons for the temporary prohibition or restriction to be lifted.</u></p> <p><u>Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.</u></p> <p>10.5 <u>No approval can be made for:</u></p> <ul style="list-style-type: none"> (a) <u>An event that has already commenced or taken place;</u> (b) <u>an activity that has prohibited activity status within any district plan rule having legal effect in the District;</u>

Clause	Recommended amendment
	<p data-bbox="523 266 1278 338">(c) <u>if it would authorise something that is or would be contrary to any other enactment or regulations.</u></p> <p data-bbox="427 378 1353 528">10.6 <u>The Chief Executive may revoke any approval under clause 10.3(b) or (c) immediately where there is reason to believe that the event is not being taken place in accordance with any approved application and/or terms and conditions.</u></p> <p data-bbox="427 568 1358 714">10.7 <u>The Council may prescribe any fees associated with applications to temporarily prohibit, restrict or change the conditions in any restricted freedom camping area or part of any local authority area.</u></p> <p data-bbox="427 754 1353 902">10.8 <u>The Council can recover all such actual and reasonable fees and expenses incurred by the processing of, and notification of, any such application, including any necessary monitoring of the activity.</u></p> <p data-bbox="523 943 1378 1090"><i><u>Explanatory note: If any fee is prescribed under clause 10.8 in accordance with section 150 of the Local Government Act 2002, it is a fee associated with the administrative costs related to the application. It is not a fee payable for camping at any site.</u></i></p> <p data-bbox="427 1131 1278 1202">10.9 <u>The applicant may request in writing for Council to review decisions under clause 10.3 to:</u></p> <p data-bbox="523 1243 1222 1272">(a) <u>refuse the application under clause 10.3(a); or</u></p> <p data-bbox="523 1312 1362 1384">(b) <u>approve the application with terms and conditions under clause 9.3(c); or</u></p> <p data-bbox="523 1424 1129 1453">(c) <u>revoke any approval under clause 10.6.</u></p> <p data-bbox="427 1494 1331 1565">10.10 <u>In determining any review under clause 10.9, the Council may decide to:</u></p> <p data-bbox="523 1606 1023 1635">(a) <u>confirm its original decision; or</u></p> <p data-bbox="523 1675 1347 1747">(b) <u>amend or remove the terms and conditions imposed on any approved application; or</u></p> <p data-bbox="523 1787 900 1816">(c) <u>issue a new approval.</u></p> <p data-bbox="427 1856 1385 1964">10.11 <u>A person must not freedom camp in a local authority area (or part of a local authority area) in contravention with a decision made under clause 10.3.</u></p>

Clause	Recommended amendment
Part 4 Clause 10	<p data-bbox="448 237 687 271">Amend Clause 10:</p> <p data-bbox="427 322 1294 398">10 Consent to temporarily freedom camp in an area in which freedom camping is otherwise prohibited or restricted</p> <p data-bbox="427 434 1326 584">10.1 Any person may apply in writing to the Chief Executive of the Council for consent to temporarily freedom camp in any local authority area in which freedom camping is prohibited or restricted, for a one off or community event.</p> <p data-bbox="520 622 1374 772"><i>Explanatory note: The type of events that may be applied for may include, but are not limited to: scout and guide events, sporting and club events, marae-related events, community and school events.</i></p> <p data-bbox="427 808 1046 842">10.2 Any application under clause 10.1 must:</p> <ul style="list-style-type: none"> <li data-bbox="520 880 1054 913">(a) be made using the required form; <li data-bbox="520 952 1382 1182">(b) provide sufficient detail about the event, including: the proposed location, intended dates of stay, proposed duration of freedom camping, number of people attending the event, method of freedom camping, and information about how human and other waste from the event will be managed; and <li data-bbox="520 1220 1366 1285">(c) be made at least 20 working days before commencement of the event. <p data-bbox="427 1323 1334 1400">10.3 The Chief Executive has discretion in relation to an application under clause 10.1 to:</p> <ul style="list-style-type: none"> <li data-bbox="520 1438 948 1471">(a) refuse the application; or <li data-bbox="520 1509 970 1543">(b) approve the application; or <li data-bbox="520 1581 1283 1615">(c) approve the application with terms and conditions. <p data-bbox="427 1653 1382 1839">10.4 If the Chief Executive is satisfied that the application would not be contrary to the purpose of this Bylaw, the application approved under clause 10.3(c) may include such terms and conditions as the Chief Executive considered necessary to <u>address matters set out in section 11(2)(a) of the Act.</u></p> <ul style="list-style-type: none"> <li data-bbox="520 1877 839 1910">(a) protect the area; <li data-bbox="520 1948 1366 2024">(b) protect the health and safety of people who may visit the area;

Clause	Recommended amendment
	<p data-bbox="520 271 962 304">(c) protect access to the area.</p> <p data-bbox="427 338 1385 528">10.5 No approval under clause 10.3(b) or (c) has effect unless before the commencement of the activity a notice is given in any manner the Chief Executive considers is appropriate which specifies the period of the activity, its location, details of any terms and conditions, and details of a supervising person of organisation.</p> <p data-bbox="520 584 1385 730"><i>Explanatory note: Notice given may include any of the following: a sign erected in the area; and/or advertising on the Council's website, social media or on the radio; and/or a public notice in the newspaper.</i></p> <p data-bbox="427 775 906 808">10.6 No approval can be made for:</p> <p data-bbox="520 842 1345 1088"> (a) a contravention of this bylaw that has already occurred; (b) an activity that has prohibited activity status within any district plan rule having legal effect in the District; (c) if it would authorise something that is or would be contrary to any other enactment or regulations. </p> <p data-bbox="427 1133 1361 1312">10.7 The Chief Executive may revoke any approval under clause 10.3(b) or (c) immediately where there is reason to believe that the activity may not protect the area, protect the health and safety of people who may visit the area, or protect access to the area.</p> <p data-bbox="427 1357 1334 1424">10.8 The Council Chief Executive may prescribe any fees associated with applications for discretionary consent to freedom camp.</p> <p data-bbox="427 1469 1366 1615">10.9 The Council Chief Executive can recover all such actual and reasonable fees and expenses incurred by the processing of, and notification of, any such application, including any necessary monitoring of the activity.</p> <p data-bbox="520 1659 1377 1805"><u><i>Explanatory note: If any fee is prescribed under clause 10.8 in accordance with section 150 of the Local Government Act 2002, it is a fee associated with the administrative costs related to the application. It is not a fee payable for camping at any site.</i></u></p> <p data-bbox="427 1850 1278 1917">10.10 The applicant may request in writing for Council to review decisions under clause 10.3 to:</p> <p data-bbox="520 1951 1222 1984">(a) refuse the application under clause 10.3(a); or</p>

Clause	Recommended amendment																										
	<p>(b) approve the application with terms and conditions under clause 10.3(c); or</p> <p>(c) revoke any approval under clause 10.7.</p> <p>10.11 In determining any review under clause 10.10, the Council may decide to:</p> <p>(a) confirm its original decision; or</p> <p>(b) amend or remove the terms and conditions imposed on any approved application; or issue a new approval.</p>																										
Schedule 1A	<p>Amend hours of arrival and departure:</p> <table> <tr> <th>Location</th><th>Recommended amendments to arrival/departure hrs</th></tr> <tr> <td>Boundary Street carpark, Queenstown</td><td>Arrival – not before 6 pm Departure – before 8 am</td></tr> <tr> <td>Gorge Road carpark, Queenstown</td><td>Arrival – not before 6 pm Departure – before 78 am</td></tr> <tr> <td>Industrial Place carpark Queenstown</td><td>Arrival – not before 6 pm Departure – before 78 am</td></tr> <tr> <td>Lakeview carpark, Queenstown</td><td>Arrival – not before 6 pm Departure – before 8 am</td></tr> <tr> <td>Queenstown Event Centre carpark, Frankton</td><td>Arrival – not before 8 pm Departure – before 7 am</td></tr> <tr> <td>Gray Street carpark, Frankton</td><td>Arrival – not before 6 pm Departure – before 78 am</td></tr> <tr> <td>Howards Drive Carpark, Lake Hayes</td><td>Arrival – not before 6 pm Departure – before 78 am</td></tr> <tr> <td>Glenorchy Domain carpark, Glenorchy</td><td>Arrival – not before 6 pm Departure – before 78 am</td></tr> <tr> <td>Gibbston Highway/State Highway 6 carpark (NZTA land)</td><td>Arrival – not before 6 pm Departure – before 8 am</td></tr> <tr> <td>Kingston Road/State Highway 6 carpark (NZTA land)</td><td><u>Arrival – not before 5 pm</u> <u>Departure – before 10 am</u></td></tr> <tr> <td>Flint Street carpark, Arrowtown</td><td>Arrival – not before 68 pm Departure – before 87 am</td></tr> <tr> <td>Wānaka Recreation Centre carpark, Wānaka</td><td>Arrival – not before 8 pm Departure – before 7 am</td></tr> </table>	Location	Recommended amendments to arrival/departure hrs	Boundary Street carpark, Queenstown	Arrival – not before 6 pm Departure – before 8 am	Gorge Road carpark, Queenstown	Arrival – not before 6 pm Departure – before 7 8 am	Industrial Place carpark Queenstown	Arrival – not before 6 pm Departure – before 7 8 am	Lakeview carpark, Queenstown	Arrival – not before 6 pm Departure – before 8 am	Queenstown Event Centre carpark, Frankton	Arrival – not before 8 pm Departure – before 7 am	Gray Street carpark, Frankton	Arrival – not before 6 pm Departure – before 7 8 am	Howards Drive Carpark, Lake Hayes	Arrival – not before 6 pm Departure – before 7 8 am	Glenorchy Domain carpark, Glenorchy	Arrival – not before 6 pm Departure – before 7 8 am	Gibbston Highway/State Highway 6 carpark (NZTA land)	Arrival – not before 6 pm Departure – before 8 am	Kingston Road/State Highway 6 carpark (NZTA land)	<u>Arrival – not before 5 pm</u> <u>Departure – before 10 am</u>	Flint Street carpark, Arrowtown	Arrival – not before 6 8 pm Departure – before 8 7 am	Wānaka Recreation Centre carpark, Wānaka	Arrival – not before 8 pm Departure – before 7 am
Location	Recommended amendments to arrival/departure hrs																										
Boundary Street carpark, Queenstown	Arrival – not before 6 pm Departure – before 8 am																										
Gorge Road carpark, Queenstown	Arrival – not before 6 pm Departure – before 7 8 am																										
Industrial Place carpark Queenstown	Arrival – not before 6 pm Departure – before 7 8 am																										
Lakeview carpark, Queenstown	Arrival – not before 6 pm Departure – before 8 am																										
Queenstown Event Centre carpark, Frankton	Arrival – not before 8 pm Departure – before 7 am																										
Gray Street carpark, Frankton	Arrival – not before 6 pm Departure – before 7 8 am																										
Howards Drive Carpark, Lake Hayes	Arrival – not before 6 pm Departure – before 7 8 am																										
Glenorchy Domain carpark, Glenorchy	Arrival – not before 6 pm Departure – before 7 8 am																										
Gibbston Highway/State Highway 6 carpark (NZTA land)	Arrival – not before 6 pm Departure – before 8 am																										
Kingston Road/State Highway 6 carpark (NZTA land)	<u>Arrival – not before 5 pm</u> <u>Departure – before 10 am</u>																										
Flint Street carpark, Arrowtown	Arrival – not before 6 8 pm Departure – before 8 7 am																										
Wānaka Recreation Centre carpark, Wānaka	Arrival – not before 8 pm Departure – before 7 am																										

Clause	Recommended amendment	
	Beacon Point Road carpark, Wānaka	Arrival – not before 68 pm Departure – before 87 am
	Allenby Place carpark, Wānaka	Arrival – not before 68 pm Departure – before 87 am
	Camp Hill Road carpark, Hāwea	<u>Arrival – not before 5 pm</u> <u>Departure – before 10 am</u>
Schedule 1A	<p>Amend title of map:</p> <p>The name of the ‘Flint Street, Arrowtown’ restricted freedom camping area to ‘Hansen Road, Arrowtown’.</p>	
Schedule 1A	<p>Amended conditions for Camp Hill Bridge restricted area:</p> <p>The maximum number of certified self-contained motor vehicles in this location must not exceed 15.</p> <p>A person freedom camping in this location must:</p> <p>...</p> <p><u>Use one of the 15 marked motor vehicle spaces</u></p>	
Schedule 1B	Amend Schedule 1B to correct errors with respect to the identification of some restricted rural roads (as detailed in the hearing report).	
Schedule 2	Amend Schedule 2 so that Shotover and Stanley streets (NZTA SH6) are considered local authority areas, and that as urban streets, are prohibited for freedom camping (with NZTA consent).	